

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

W. J. Schottland
(Signature)

Director
(Title)

10-26-58
(Date)

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
14

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR

Sacramento 14

October 26, 1950

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

IN REPLY PLEASE REFER

TO:

FILED

In the Office of the Secretary of State
of the State of California

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

OCT 31 1950

At 11:01 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

Dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 434 (Merit System) (Dated September 22, 1950)

DEPARTMENT BULLETIN NO. 440 (Stat) (Dated October 13, 1950)

DEPARTMENT BULLETIN NO. 441 (Stat) (Dated October 13, 1950)

DEPARTMENT BULLETIN NO. 442 (OAS) (Dated October 25, 1950)

DEPARTMENT BULLETIN NO. 443 (ANB) (Dated October 25, 1950)

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, 103.6, 115, 116, 119.5, 119.6, 2140, and 3075 on October 20, 1950.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

W4 10 103, 119.5, 119.6

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
September 22, 1950

FILED
In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

DEPARTMENT BULLETIN NO. 434 (MERIT SYSTEM)

TO: COUNTY WELFARE DIRECTORS
(Excluding Alameda, Contra Costa, Fresno,
Los Angeles, Sacramento, San Bernardino,
San Diego, San Francisco, San Mateo, and
Santa Clara counties)

CC: CHAIRMEN, COUNTY BOARDS OF SUPERVISORS
COUNTY AUDITORS
COUNTY CLERKS

Subject: Revised Classification Plan
for Positions in California
County Welfare Departments
Under County Merit System

Upon the recommendation of the Merit System Advisory Committee, the State Social Welfare Board, at its meeting of August 24, 1950, approved revisions to the classification plan covering positions in the 48 California county welfare departments operating under the County Merit System.

The new classification plan obsoletes the previous classification plan originally approved during March 1941, as described in Department Bulletin No. 69-C, and subsequent revisions as described in Department Bulletins No. 69-D, 69-F, 69-H, 69-L, 69-M, and 69-N.

The present revisions of the classification plan may be summarized as follows:

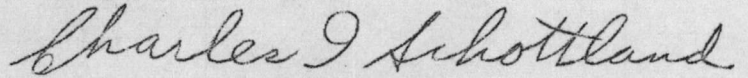
1. Three new clerical classes were established (Intermediate Clerk, Intermediate Typist Clerk, and Intermediate Stenographer Clerk).
2. Title changes were made to seven classes as shown below:

<u>Former Title</u>	<u>New Title</u>
Public Assistance Supervisor, Gr. I	Social Work Supervisor I
Public Assistance Supervisor, Gr. II	Social Work Supervisor II
Public Assistance Worker, Gr. I	Social Worker I
Public Assistance Worker, Gr. II	Social Worker II
Junior Bookkeeper Clerk	Account Clerk
Senior Bookkeeper Clerk	Senior Account Clerk
Chief Bookkeeper Clerk	Chief Account Clerk

3. Minimum qualifications for all classes remain unchanged with the exception of a few minor modifications in the Account Clerk series.

Copies of the classification plan may be secured upon your request.

Very sincerely yours,

A handwritten signature in cursive script that reads "Charles I. Schottland".

Charles I. Schottland
Director

Certified as a Regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schatland
(Signature)

Director
(Title)

10-26-50
(Date)

MAIN OFFICE
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948 MARKET STREET
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Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR
Sacramento 14
October 26, 1950

IN REPLY PLEASE REFER
TO:

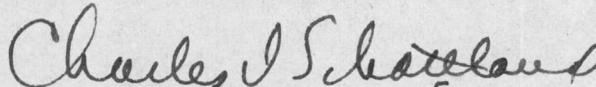
Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare with Aid to Needy Children Manual Letter No. 7.

These regulations contained in this material were approved by the State Social Welfare Board on October 20, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, and 1560, and are filed in accordance with provisions of Section 11380 of the Government Code.

Very sincerely yours,



Charles I. Schottland
Director

Attachments

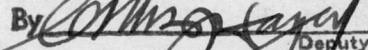
FILED

In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By  Deputy

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 27, 1950

AID TO NEEDY CHILDREN MANUAL LETTER NO. 7

The attached revisions numbered 38 through 41 are to be entered in your copy of the Manual of Policies and Procedures - Aid to Needy Children and the revision numbers canceled on the inside of the manual cover.

These revisions were adopted by the Social Welfare Board on October 20, 1950, to be effective December 1, 1950.

Secs. C-276 and C-279, as revised, provides that if a child's residence depends upon his birth or physical presence in California he may be temporarily absent from the state, and if he remains otherwise eligible, assistance shall be continued as long as the parent or person responsible for the child intends for the child to return to California.

Sec. C-282 has been revised for clarification.

Sec. C-285, as revised, provides that if a child receiving assistance is absent from the state, the parent or person responsible for the child shall be required to report within a two-month period his intent with regard to the child's residence and thereafter shall be required to inform the county of any change in intent.

FILED

In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11.01 o'clock *a* M.

FRANK M. JORDAN, Secretary of State

By *[Signature]*
Deputy

C-279 (Continued)

C-279

Example 2: A child born out of the state who continued to live outside the state joined his father in California on 6/18/49. The father had resided in California for 4 years. The father died on 8/17/49. Application was not filed prior to the father's death. Therefore the child would not qualify for ANC on the basis of state residence until 6/18/50 when he will have been physically present in the state for 1 year.

Example 3: The father of two children born out of state is deceased. The mother brought them to California in 1947, leaving them with her aunt. The mother has lived in Arizona since 1947. An application for ANC is filed on 1/15/49. The children, if otherwise eligible, qualify on the basis of their physical presence in California for one year immediately preceding the date of application.

Example 4: A child whose parents have residence elsewhere has lived with an aunt in California for two years. ANC was granted on the basis of physical presence of the child in the state. The parents come to California without intent to establish residence and the child then lives with them. If otherwise eligible, the child continues to be eligible for ANC on the basis of physical presence, although he is with his parents who retain residence elsewhere.

A child receiving assistance who meets the residence requirements solely by his physical presence in California may be temporarily absent from the state, and if he remains otherwise eligible, assistance shall be continued as long as the parent or person responsible for the child has intent for the child to return to California. (W&IC 1525, 1560)

C-282 STATE RESIDENCE REQUIREMENTS MET BY RESIDENCE OF CHILD'S PARENTS

C-282

If a parent of a child not born in California has resided in the state for a period of one year immediately preceding the date of application, the child is eligible with respect to residence regardless of the subsequent death of the parent **after** the date of application. Absence of the child from California during this period would have no effect on eligibility if the child is in the state when assistance is granted.

Example 1: Four children born out of the state were living in Arizona with their parents. Their father died on 5/6/48. The mother came to California and established residence here on 8/17/48 bringing two of the children. On 4/7/49, the other two children joined the mother. The state residence requirement for all four children is completed on 8/17/49, when the mother has resided in California for one year.

Example 2: A child born outside California came to live with his father in the state on 6/18/48. The father had resided in California for four years. Application was signed on 8/17/48. Before the application was approved, the father died on 9/5/48. Since the application was signed prior to the father's death and the father had resided in the state for one year immediately preceding the date of application, the child is eligible for ANC immediately with respect to residence.

(Section Continued on Next Page)

C-273 (Continued)

C-273

Residence of a guardian does not establish state residence for his ward for the purpose of ANC. (W&IC 1560; Gov. C. 244)

C-276 STATE RESIDENCE REQUIREMENTS MET BY CHILD'S BIRTH IN CALIFORNIA

C-276

If a child is born in California, no period of residence prior to application is required. He is eligible with respect to residence if he is in California, regardless of the residence of his parents.

Example: The mother of a child born in California is deceased. His father lives in Ohio and never has been in California. The child has lived with his grandmother in California since 2/14/48. If he is otherwise eligible, he qualifies for assistance on 2/14/48, as he has state residence for purposes of ANC by reason of California birth.

If a child born in California receiving ANC has a parent whose residence is in California, the child may be temporarily absent from the state, with or without the parent, and, if he remains otherwise eligible, assistance shall be continued as long as the parent retains California residence by act or intent.

If a child born in California receiving ANC does not have a parent whose residence is in California, the child may be temporarily absent from the state, and, if he remains otherwise eligible, assistance shall be continued as long as the parent or person responsible for the child has intent for the child to return to California.

If a child born in California leaves the state and loses his state residence by the intent of his parent to establish residence elsewhere, he becomes ineligible immediately.

A child born in California who leaves the state is eligible for restoration of assistance immediately upon his return to the state, if otherwise eligible. (W&IC 1525, 1560)

C-279 STATE RESIDENCE REQUIREMENTS MET BY CHILD'S PHYSICAL PRESENCE IN CALIFORNIA

C-279

If a child not born in California has been physically present in the state throughout the year immediately preceding application and remains here, he is eligible with respect to residence regardless of the residence of his parents.

Example 1: A child was born out of the state and continued to live out of the state. His last surviving parent died on 6/20/48 after residing in California for four years. The child came to California on 6/22/48 and has lived with his grandmother since that date. If he were otherwise eligible, he would qualify for ANC on 6/22/49 when he had been physically present in the state for one year. (Residence of a parent ends with the parent's death.)

(Section Continued on Next Page)

C-285 DETERMINATION OF STATE RESIDENCE

C-285

The county shall determine that the child has residence in California.

A. CHILD BORN IN CALIFORNIA

The narrative shall include the applicant's statement of the place of birth.

If the applicant does not have complete or accurate information, or if there appears to be conflicting information, further evidence of place of birth shall be obtained. Types of evidence which are acceptable for determining age are also acceptable for determining state residence. (See Sec. C-265, Determination of Age)

B. CHILD NOT BORN IN CALIFORNIA

1. If the child's state residence is governed by his physical presence in California, the narrative shall include an oral or written statement of the person responsible for the care of the child or of any other person having knowledge that the child has been physically present in the state for one year immediately preceding the date of application. If the statement obtained does not give definite, clear, and complete information or if there is doubt regarding the child's physical presence in the state, additional evidence shall be secured. This may be in the form of reports of records or combinations of records of institutions, schools, hospitals, county welfare departments, etc., or interviews with other persons having pertinent information.
2. If the child's state residence is governed by the residence of a parent in California, the narrative shall include the parent's statement of his residence and intent of residence for one year immediately preceding the date of application. If the parent has been absent from the state during the year, his statement shall include reasons for leaving California, activities during absence, and reasons for returning to the state. If the parent's statement is not definite, clear, and complete or there is doubt regarding his residence, additional evidence shall be secured. This may be in the form of records or combinations of records covering the year's period or interviews with other persons. Some of the factors that would support the parent's statement of intent to retain California residence during periods of absence are:

(Section Continued on Next Page)

C-282 (Continued)

C-282

Absence of a parent or both parents from California without loss of state residence during the year immediately preceding application would have no effect on eligibility if the child is in California when assistance is granted.

Assistance shall not be denied solely because a child or the parents received assistance from another state while physically present in this state if information indicates the parent's intent to reside in California. If residence in another state is a condition to the granting or continuance of assistance, this may indicate an intent on the part of the parent to retain residence in that state. However, other evidence may indicate intent of the parent to establish residence in this state. If the child was physically present in the state during the year, receipt of assistance would have no effect on eligibility since intent is irrelevant if residence is based on the child's physical presence. (See Sec. C-279, State Residence Requirements Met by Child's Physical Presence in California)

If the parents leave the state with intent to reside elsewhere, leaving the child in the state, the child who has not been physically present in the state for one year and who was not born in the state becomes ineligible for assistance immediately. Such a child would remain ineligible until one year of residence by physical presence has been established.

If one or both parents and the child receiving assistance move out of the state with the intention of establishing residence elsewhere, the child is immediately ineligible for assistance. The parent's California residence is lost at the moment that, by act and intent, he gains residence elsewhere. However, if the child returns to the state with his parent during the following month and assistance is restored during that month so that monthly payments do not cease, the residence of the parent (if he intends to reside in California) shall be considered to have continued without interruption. Or, if the child returns to the state without his parent during the following month and assistance is restored during that month so that monthly payments do not cease, his physical presence in the state (if he has been physically present in the state for one year including the period of absence) shall be considered to have continued without interruption. If the child or parent does not return to the state in time so that it is administratively possible for assistance to be restored in the following month, he remains ineligible until one year's residence has been reestablished either by physical presence or by the parent's residence.

If one or both parents and the child receiving ANC, or the child alone, are temporarily absent from the state, assistance shall be continued during the absence as long as the child remains otherwise eligible.

If paternity of an illegitimate unmarried minor child has been established, state residence for the child may be established by the father's residence in the state. (W&IC 1525, 1560)

C-285 (Continued)

C-285

- a. Maintenance of a home in this state.
- b. Storage of possessions in this state.
- c. Exercise of voter's privilege; i.e., casting absentee voter's ballot in election in this state.
- d. Return to state immediately upon termination of cause of absence.
- e. Return to state during seasons of repose.
- f. Expression of intent to retain residence in this state in correspondence with relatives, friends, or others, written prior to or during absence.
- g. Purchase of round trip ticket at the time of departure.
- h. Expression of intent, prior to departure, to neighbors, schools, church, or lodge officials.
- i. Securing non-residence hunting, fishing, or automobile permit in other state.

The fact that residence was retained by a parent shall be determined if restoration of assistance for a child is requested following discontinuance during absence from the state in order to show that the parent has retained California residence by intent.

If a child receiving assistance is absent from the state, the parent or person responsible for the child shall be required to report within a two-month period the intent of the parent or person responsible for the child with regard to the child's residence, and thereafter shall be required to inform the county of any change in intent with regard to the child's residence. The parent or person responsible for the child shall also be required to report the living arrangements in the new locality, any change in income due to the change of living plan, and the expenses of the current living plan. If the absence continues, arrangements shall be made periodically with out-of-state welfare departments to determine that the child is receiving adequate care. The county may determine the whereabouts of the payee by occasionally forwarding warrants by registered mail with return receipts requested. (W&IC 1560)

Certified as a Relation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. L. Schatland
(Signature)

Director
(Title)

10-26-50
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 25, 1950

FILED
In the Office of the Secretary of State
of the State of California

OCT 31 1950

DEPARTMENT BULLETIN NO. 442 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

At 11:01 o'clock A.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Federal Reimbursement in
Payments to Recipients in
Public Medical Institutions--
OAS

The Social Security Act was amended by Public Law 734 (HR 6000) to provide assistance to needy persons who are patients in public medical institutions. Under Section 2160-e of the Welfare and Institutions Code, aid shall continue to be paid for two calendar months after the recipient enters a public hospital for medical or surgical care. As a result of the amendment to the Social Security Act, there are changes in the rulings governing federal participation in the payments for those two calendar months.

The provisions of Manual Section 164-10, Eligibility During Hospitalization, continue in effect except that the fourth paragraph (beginning with "Federal reimbursement is allowed . . .") is rescinded.

Effective October 1, 1950, it is no longer necessary to determine the probable period of hospitalization. However, for each recipient who enters a public institution it is necessary to secure a statement each month from the institution which specifies whether or not the recipient:

- (1) Is a "patient" in a "public medical institution" as defined herein;
- (2) Has a diagnosis of tuberculosis or mental disease;
- (3) Is a patient in a public institution maintained for the purpose of treating persons suffering from tuberculosis or mental disease, and
- (4) Is an inmate of a public institution of a custodial or correctional character or an inmate of a unit in a public medical institution in which unit only infirmary or custodial care is provided.

The statement from the public institution shall be filed in the case record or there shall be a cross reference to such information elsewhere in the county welfare office.

I. Definitions

A. Public Medical Institution

A public medical institution is one which:

1. Is maintained in whole or in part by or through any public instrumentality, official or employee, acting in an official capacity or, by reason of the circumstances of its origin and charter or maintenance from public funds, is a public institution. (It does not include a private institution which by agreement with a public instrumentality is offering care at a single or lump sum contract price. AGO 48/176.)

2. Is operated for the purpose of providing medical care, including nursing and convalescent care, and has the necessary professional personnel, equipment and facilities to meet the medical needs of patients on a continuing basis in accordance with accepted standards.
3. Is staffed by professional medical and professional nursing personnel who have clear and definite responsibilities to the institution in the provision of medical services to patients.

B. Patient

The following criteria shall be met in making the determination that a person is a "patient" in a public medical institution:

1. The person is in a public medical institution because of an illness for which he is receiving planned, continuing medical treatment including physician's services and nursing care, directed toward improvement in health, or is receiving medical treatment for an illness for which medical measures are required though improvement in health or recovery cannot be expected.
2. The individual is free to leave at the conclusion of treatment, or at any other time upon his own decision.

A person is not a patient if he is in an institution rendering infirmary or custodial care and he does not receive continuing, planned medical care even though he has a disability which prevents him from maintaining himself outside an institution. The major factor which establishes whether or not a person is a "patient" is the individualization of medical care received in "patient" care as distinguished from congregate services.

II. Federal Participation Available in Payments

Federal participation shall now be claimed in the payment for the first and second calendar months when the institution is not maintained for the purpose of treating persons suffering from tuberculosis or mental disease and:

1. It is determined that the recipient is a "patient" in a "public medical institution" as defined herein.
2. There is on file in the case record a written statement from the superintendent or other official of the institution that the recipient is a "patient" in a "public medical institution."
3. The statement specifies that the recipient does not have a diagnosis of tuberculosis or psychosis.

If on the first day of the month a recipient has the status of a patient in a public medical institution, federal participation is available in the payment for the full month even though the recipient may lose "patient" status during the month by transfer to a custodial unit. (Claiming for federal participation shall be discontinued as of the end of the month in which such transfer occurs.)

2. Is operated for the purpose of providing medical care, including nursing and convalescent care, and has the necessary professional personnel, equipment and facilities to meet the medical needs of patients on a continuing basis in accordance with accepted standards.
3. Is staffed by professional medical and professional nursing personnel who have clear and definite responsibilities to the institution in the provision of medical services to patients.

B. Patient

The following criteria shall be met in making the determination that a person is a "patient" in a public medical institution:

1. The person is in a public medical institution because of an illness for which he is receiving planned, continuing medical treatment including physician's services and nursing care, directed toward improvement in health, or is receiving medical treatment for an illness for which medical measures are required though improvement in health or recovery cannot be expected.
2. The individual is free to leave at the conclusion of treatment, or at any other time upon his own decision.

A person is not a patient if he is in an institution rendering infirmity or custodial care and he does not receive continuing, planned medical care even though he has a disability which prevents him from maintaining himself outside an institution. The major factor which establishes whether or not a person is a "patient" is the individualization of medical care received in "patient" care as distinguished from congregate services.

II. Federal Participation Available in Payments

Federal participation shall now be claimed in the payment for the first and second calendar months when the institution is not maintained for the purpose of treating persons suffering from tuberculosis or mental disease and:

1. It is determined that the recipient is a "patient" in a "public medical institution" as defined herein.
2. There is on file in the case record a written statement from the superintendent or other official of the institution that the recipient is a "patient" in a "public medical institution."
3. The statement specifies that the recipient does not have a diagnosis of tuberculosis or psychosis.

If on the first day of the month a recipient has the status of a patient in a public medical institution, federal participation is available in the payment for the full month even though the recipient may lose "patient" status during the month by transfer to a custodial unit. (Claiming for federal participation shall be discontinued as of the end of the month in which such transfer occurs.)

III. Federal Participation Not Available

A recipient who is a patient in a public institution maintained for the purpose of treating persons suffering from tuberculosis or mental disease, or who is a patient in any other public medical institution with a diagnosis of tuberculosis or psychosis, is eligible to receive aid for two calendar months following the date of admission. Federal participation is not available in the two monthly payments. Exception: Aid shall be discontinued as of the last day of the month in which a recipient enters any public institution under court commitment.

The foregoing paragraph supersedes conflicting instructions in Manual Section 627-30 under "Hospitalization" and in Department Bulletin No. 417, Section III, Item 1, Discontinuance Because of Hospitalization.

IV. Circumstances Under Which Claiming for Federal Participation Shall be Discontinued at the End of the Month in Which the Recipient is Admitted to a Public Institution:

A. Claiming for federal participation shall be discontinued at the end of the month in which a recipient is admitted to:

1. A public institution of a custodial or correctional character.
2. A unit in a public medical institution in which only infirmary or custodial care is provided.

V. Claim Adjustments

Since the above policies are effective October 1, 1950, necessary adjustments in federal participation will have to be made retroactively by the county in order that payments made for October and subsequent months will be claimed correctly. Claim adjustments shall be made by use of Form AB 816 (Department Bulletin 423, Page 2, Item 5).

VI. Reporting Discontinuance Due to Hospitalization:

A. Aid discontinued at end of second calendar month of hospitalization. Section II of Form Ag 232 discontinuing aid at the end of the second calendar month shall be completed as follows:

1. Check Item C-13 (or Item C-15 if not a county hospital) and enter date of admission.
2. If federal participation is not available for the payments made to the recipient during the two calendar months of hospitalization state under "Remarks" the specific months for which federal participation is not available and give the reason.

Example: Admitted to county hospital on September 15, aid discontinued November 30. Under "Remarks" state "No federal participation for October and November--diagnosed as TB."

B. Aid discontinued because of death in public medical institution during the first or second month of hospitalization:

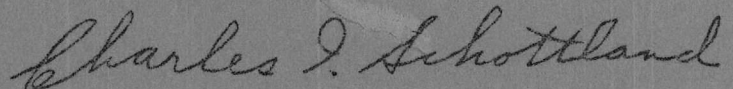
Section II of the Form Ag 232 discontinuing aid for a recipient who died in a public medical institution shall be completed as follows:

1. Check C-1, and enter the date of death.
2. Check Item C-13 (or C-15, if not a county hospital) and enter the date of admission.
3. If federal participation is not available in payments made to the recipient after admission to the public medical institution state under "Remarks" the specific months for which federal participation is not available and give the reason.

This supersedes conflicting instructions in Manual Section 362-40.

- VII. Aid shall be discontinued if the recipient remains in the institution more than two calendar months. If the case is one for which county institutional subvention is available, the provision governing subvention claiming shall apply.

Very sincerely yours,



Charles I. Schottland
Director

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schatland
(Signature)

Director
(Title)

10-26-58
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 13, 1950

FILED
In the Office of the Secretary of State
of the State of California

OCT 31 1950

DEPARTMENT BULLETIN NO. 440 (Stat)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
LOS ANGELES JUVENILE COURT
SAN FRANCISCO JUVENILE COURT

At 11:01 o'clock A.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Monthly Statistical Report on
Effect of Changes in Old-Age and
Survivors Insurance Provisions
on Cases Receiving Public
Assistance in September 1950
(Form Temp 233)

The Federal Security Agency requires the State to submit monthly statistical reports, beginning with a report for the month of October 1950, showing the effect of changes in OASI under provisions of HR 6000 on OAS, ANB, and ANC cases which received assistance in September 1950. It is necessary, therefore, that each county submit a report on Form Temp. 233 each month until further notice. These reports are due in the Bureau of Research and Statistics, State Department of Social Welfare, Sacramento, by the 20th of the month following the month covered by the report. The first report, covering October 1950, will be due on November 20, 1950. A supply of Form Temp. 233 is being sent under separate cover.

Content: The report will provide information on grant determinations made in OAS, ANB, and ANC cases already receiving OASI benefits due to the increase in their benefits under the 1950 amendments to the Social Security Act. It will also provide information on grant determinations in cases receiving OASI benefits for the first time under the new eligibility ("new start") provisions of the Social Security Act as amended.

The report will cover only cases which received (1) both public assistance and OASI benefits in September or (2) public assistance in September and began to receive OASI benefits for the first time in October or some month thereafter. Public assistance cases added subsequent to September are not to be included in the report.

The Social Security Administration has agreed to permit reporting of OAS in cases with increased OASI benefits only (Section I of Form Temp. 233) for October, November, and December only, on a 10 percent sample basis.

SECTION I. CASES WITH INCREASED OASI BENEFITS

Section I of the report (Form Temp 233) covers cases that received assistance payments and OASI benefits in September 1950. For OAS only, and in Section I only (Received OASI Benefits in September 1950), report only cases with

State numbers ending 15 for October, November, and December. Report all cases thereafter.

Note that only cases receiving both OASI and assistance payments are to be reported, and that each case will be reported only once--i.e., for the month in which the increased OASI benefit became effective.

Item I. Cases With Increased OASI Benefits--Total--Enter the totals of items 1, 2, and 3.

Item 1. Total Cases Discontinued. -- Enter in Columns I, VI, and XI, respectively, the sums of items 1A and 1B.

Item 1A. Discontinued for One Month Only (Current Adjustment).--Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases for which payments were discontinued for one month only, due to increased OASI benefits, to adjust for overpayment within the current adjustment period.

Item 1B. Discontinued for More Than One Month.-- Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases which were discontinued for more than one month due to increased OASI benefits.

Item 2. Payments Reduced--Total --Enter in Columns I, VI, and XI, the sums of items 2A and 2B.

Item 2A. Reduction Equal to or Greater Than Increase in OASI Benefit.-- Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases in which the assistance payment was reduced by an amount equal to or greater than the amount of increase in the OASI benefit, disregarding differences amounting to less than \$1.

Item 2B. Reduction Less Than Increase in OASI Benefit.-- Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases in which the assistance payment was reduced by an amount less than the amount of the increase in the OASI benefit, disregarding differences amounting to less than \$1.

Item 3. Payments Not Reduced (Increase or No Change).-- Enter in Columns I, VI, and XI, respectively, for OAS, ANB, and ANC, the number of cases in which no change was necessary in the assistance payment or in which the grant was increased for any reason, despite the receipt of increased OASI benefits.

Amount of OASI Benefits

Old Rate (Old P.I.B.).--Enter in Columns II, VII, and XII the sum (rounded to the nearest dollar) of monthly OASI benefits received in September 1950 by assistance cases shown in columns I, VI, and XI, respectively. Beginning with the report for November, exclude any amount in the first OASI check intended to cover the increase in benefits for months prior to that covered by the report. (See Department Bulletins Nos. 430 and 430A-B-C-D).

New Rate (New P.I.A.).-- Enter in Columns III, VIII and XIII the sums of the actual amounts (rounded to the nearest dollar) of the new monthly OASI benefits rates for the assistance cases shown in columns I, VI, and XI, respectively, for the month covered by the report. Beginning with the report for November, exclude any amount in the first OASI check intended to cover the increase in benefit for months prior to that covered by the report. (See Department Bulletins Nos. 430 and 430A-B-C-D).

Amount of Assistance Payments

The amounts to be reported are the actual amounts of assistance payments to cases included in the report, for the month immediately preceding the one covered by the report, and for the month covered by the report.

Preceding Month.--Enter in Columns IV, IX, and XIV the sums (rounded to the nearest dollar) of assistance payments made to the cases shown in Columns I, VI, and XI, respectively, for the month immediately preceding the one covered by the report.

Current Month.--Enter in Columns V, X, and XV the sums (rounded to the nearest dollar) of assistance payments made to the cases shown in Columns I, VI, and XI, respectively, for the month covered by the report.

SECTION II. "NEW START" OASI CASES

This section of the report covers OAS, ANB, and ANC cases that received assistance in September 1950 and began to receive OASI benefits under the new OASI eligibility ("new start") provisions. Report all such cases in each of the 3 aids.

Item II. "New Start" OASI Cases - Total.--Enter the totals of Items 4, 5, and 6.

Item 4. Total Cases Discontinued.--Enter in Columns I, VI, and XI, respectively, the sums of Items 4A and 4B.

Item 4A. Discontinued for One Month Only (Current Adjustment).--Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases for which payments were discontinued for one month only to adjust for overpayment within the current adjustment period.

Item 4B. Discontinued for More Than One Month.--Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases for which payments were discontinued for more than one month due to eligibility for OASI benefits.

Item 5. Payments Reduced - Total.--Enter the totals of Items 5A and 5B.

Item 5A. Reduction Equal to or Greater Than OASI Benefit.--Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB and ANC cases in which the assistance payment was reduced by an amount equal to or greater than the amount of the OASI benefit, disregarding differences amounting to less than \$1.

Item 5B. Reduction Less Than OASI Benefit.--Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases in which the assistance payment was reduced by an amount less than the amount of the OASI benefit, disregarding differences amounting to less than \$1.

Item 6. Payments Not Reduced (Increased or No Change).--Enter in Columns I, VI, and XI, respectively, the number of OAS, ANB, and ANC cases in which the assistance payment was not reduced. Include here the number of cases in which no change was necessary, or the grant was increased for any reason, despite the receipt of initial OASI benefit.

Amount of OASI Benefits

This section of the report covers cases receiving public assistance in September which had not received OASI benefits prior to October 1950. The amounts reported will represent only initial benefits and will be entered in Columns III, VIII and XIII ("New Rates").

New Rate (New P.I.A.).--Enter in Columns III, VIII, and XIII the actual amounts (rounded to the nearest dollar) of the new monthly OASI benefit rates for those assistance cases shown in Columns I, VI, and XI, respectively, for the month covered by the report. Beginning with the report for November, exclude any amount in the first OASI check intended to cover benefits for prior months.

Amount of Assistance Payments

The amounts to be reported are the sums of the actual amounts of assistance payments to cases included in the report, for the month immediately preceding the one covered by the report, and for the month covered by the report.

Preceding Month.--Enter in Columns IV, IX, and XIV the sums (rounded to the nearest dollar) of assistance payments made to the cases shown in Columns I, VI, and XI, respectively, for the month immediately preceding the one covered by the report.

Current Month.--Enter in Columns V, X, and XV the sums (rounded to the nearest dollar) of assistance payments made to the cases shown in Columns I, VI, and XI, respectively, for the month covered by the report.

SECTION III. COMMENTS

Report any factors which materially modify the effect of the increased OASI payments or payments under the new eligibility provisions on public assistance programs. For example, the effect on public assistance grants would be modified if, in a substantial number of cases, no change in the grant was necessary because a re-determination of need resulted in the OASI payment being applied toward a higher need figure. Other factors might be the delay in OASI field offices in making awards on claims under the "new start" provision; or delay in making adjustments due to lack of sufficient supplies of "conversion tables"; et cetera.

Suggested Individual Basic Record Form

To facilitate the assembling of information necessary to complete the Monthly Statistical Report on Effect of Changes in OASI Provisions on Cases Receiving Public Assistance in September 1950, (Form Temp. 233) each county will find it necessary to establish a system for the orderly recording of data on individual cases to be included in the report. A suggested Individual Basic Record Form (Exhibit A) is attached to illustrate one method by which the necessary data can be recorded to facilitate assembling the data for the monthly report (Form Temp. 233) and for insuring accuracy in reporting.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Attachments

Exhibit A

SUGGESTED INDIVIDUAL BASIC RECORD FORM FOR PREPARATION OF
MONTHLY STATISTICAL REPORT ON EFFECT OF CHANGES IN OASI PROVISIONS
ON CASES RECEIVING PUBLIC ASSISTANCE IN SEPTEMBER 1950

(Do not complete this form on cases which would have been discontinued regardless of the OASI benefit).

A. Case name: _____ B. State No: _____ C. County _____

D. Program (Circle one):

1. Old Age Security
2. Aid to Needy Blind
3. Aid to Needy Children

E. Type of case with respect to OASI benefit (Circle one):

1. Received OASI benefit in September 1950 (For OAS only report only cases with State numbers ending in 5 for October, November, and December only).
2. "New start" OASI case (Report all cases in OAS, ANB, and ANC).

F. Amount of OASI benefit:

1. In September 1950 (Old P.I.B.). Enter "none" for "new start" cases.
\$ _____
2. Monthly rate under increased benefit provision, or benefit amount under "new start" provision, New P.I.A. \$ _____

G. Amount of assistance payment:

1. Preceding month \$ _____
2. Current month \$ _____

H. Type of action (Circle one):

1. Case discontinued for more than one month.
2. Payment discontinued for one month only, in order to adjust for over-payment within the current adjustment period.
3. Reduction equal to or greater than increase in OASI benefit or "new start" OASI benefit (Disregard difference of less than \$1).
4. Reduction less than increased OASI benefit, or "new start" OASI benefit (Disregard difference of less than \$1).
5. Payment not reduced (increase or no change).

Prepared by: _____

(Initial Action Taken As A Result Of Increase In Benefits And "New Start" Provision Under 1950 Amendments)

COUNTY _____

REPORT FOR MONTH OF _____ 19 ____

TYPE OF CASE	OLD-AGE SECURITY*					AID TO NEEDY BLIND					AID TO NEEDY CHILDREN				
	NUMBER OF CASES (I)	AMOUNT OF				NUMBER OF CASES (VI)	AMOUNT OF				NUMBER OF CASES (XI)	AMOUNT OF			
		OASI BENEFITS		ASSISTANCE PAYMENTS			OASI BENEFITS		ASSISTANCE PAYMENTS			OASI BENEFITS		ASSISTANCE PAYMENTS	
		OLD RATE (Old P.I.B.)	NEW RATE (New P.I.A.)	PRECEDING MONTH	CURRENT MONTH		OLD RATE (Old P.I.B.)	NEW RATE (New P.I.A.)	PRECEDING MONTH	CURRENT MONTH		OLD RATE (Old P.I.B.)	NEW RATE (New P.I.A.)	PRECEDING MONTH	CURRENT MONTH
		(II)	(III)	(IV)	(V)		(VII)	(VIII)	(IX)	(X)		(XII)	(XIII)	(XIV)	(XV)
I. CASES WITH INCREASED OASI BENEFITS - TOTAL.....		\$	\$	\$	\$		\$	\$	\$	\$		\$	\$	\$	\$
1. Total Cases Discontinued.....					xxx					xxx					xxx
A. Discontinued for 1 month only (Current Adj.)					xxx					xxx					xxx
B. Discontinued for more than 1 month.....					xxx					xxx					xxx
2. Payments Reduced - Total.....															
A. Reduction equal to or greater than increase in OASI Benefit.....															
B. Reduction less than increase in OASI benefit															
3. Payments Not Reduced (Increase or no Change)...															
II. "NEW START" OASI CASES - TOTAL.....		xxx					xxx					xxx			
4. Total Cases Discontinued.....		xxx			xxx		xxx			xxx		xxx			xxx
A. Discontinued for 1 month only (Current Adj.)		xxx			xxx		xxx			xxx		xxx			xxx
B. Discontinued for more than 1 month.....		xxx			xxx		xxx			xxx		xxx			xxx
5. Payments Reduced - Total.....		xxx					xxx					xxx			
A. Reduction equal to or greater than OASI benefit		xxx					xxx					xxx			
B. Reduction less than OASI benefit.....		xxx					xxx					xxx			
6. Payments Not Reduced (Increase or no Change)...		xxx					xxx					xxx			

III. COMMENTS

*For October, November, and December only, in Section I (cases with increased OASI benefits), for OAS, report cases with State numbers ending in 5. For ANB and ANC report all cases as specified.

Certified as a Regulation (or
Regulations) of the

Dep't of Social Welfare
(Name of State Agency)

C. J. Schatland
(Signature)

Director
(Title)

10-26-50
(Date)

MANUAL UNIT - SECT OF STATE

W 115,116

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET

SACRAMENTO 14

October 13, 1950

FILED

In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 o'clock M.

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

DEPARTMENT BULLETIN NO. 441 (STAT)

TO: COUNTY WELFARE DIRECTORS

Subject: APWA Survey of ANC Cases
Closed during November 1950

The State Department of Social Welfare, after consultation with the County Welfare Directors' Association, has undertaken to participate in a nationwide sample study of the social characteristics of ANC families, sponsored by the American Public Welfare Association. The sample to be studied consists of 50% of all ANC family cases discontinued during November, 1950 who have received at least six monthly ANC payments. It is estimated that the total sample for California will approximate 500 cases.

For California, the study month will be November, 1950, and the sample will consist of all family cases -

- a) which are discontinued in the month of November, 1950, i.e., with board action dates November 1, 1950, to November 30, 1950, inclusive;
- b) whose state case number ends in an even digit, i.e., 2, 4, 6, 8, and 0;
- c) which have received a total of six or more monthly ANC payments.

Counties shall interview and prepare schedules on all ANC cases which have the characteristics outlined above. It is suggested that whenever possible the sample interview be made to coincide with the closing interview. The study directors emphasize that if at all possible data should be entered on the schedule during a home interview.

A supply of schedules and instructions to interviewers (with specimen schedules) is being forwarded to county welfare departments.

Because the supply of schedules is quite limited, counties are requested to return those not needed to Sacramento at the earliest possible date, in order that they may be redistributed to areas of unexpected need. According to estimates the supply sent each county should be more than adequate for the sample of the usual number of discontinuances.

The instructions furnished by the American Public Welfare Association for completion of the schedule are comprehensive and detailed. However, if unusual problems arise, these should be addressed to the Bureau of Research and Statistics, State Department of Social Welfare, in Sacramento.

Completed schedules should reach the Bureau of Research and Statistics, State Department of Social Welfare, Sacramento, by December 15, 1950, and in any case not later than December 31.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Certified as a regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schatland
(Signature)

Director
(Title)

10-26-50
(Date)

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
14

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

T-22
C-2

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR

Sacramento 14

October 26, 1950

IN REPLY PLEASE REFER
TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are six copies of regulations issued by the State Department of Social Welfare with Manual Letter No. 145.

These regulations were adopted by the State Social Welfare Board on October 20, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, 103.6, and 114b, and are being filed in accordance with Section 11380 of the Government Code.

The regulations contained in Manual Section 123-05 were adopted by the State Social Welfare Board to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

FILED

In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 a M.

FRANK M. JORDAN, Secretary of State

By *Wm. J. ...* Deputy

MANUAL UNIT

1297-1299 CHARLES I. SCHOTTLAND
Director

SECRETARY OF STATE

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 27, 1950

FILED
In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 o'clock A.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

MANUAL LETTER NO. 145

The attached revisions are to be entered in your copy of the Manual of Policies and Procedures and the revision numbers canceled on the separators of the revised chapters. The revision numbers are as follows:

Residence	Revisions 65 and 66
Income	Revisions 77 through 82
Continuing Services	Revisions 234 and 235

These revisions were adopted by the Social Welfare Board on October 20, 1950, to be effective December 1, 1950, with the exception of Sec. 123-05, which is to be effective November 1, 1950.

Sec. 123-05, as revised, provides that if a recipient leaves the state for a temporary period without loss of California residence, aid shall be continued as long as residence is retained and the person remains otherwise eligible. Sec. 353-05 provides that such a recipient shall be required to inform the county of residence every two months regarding his living plan and his intent with respect to residence, and to state the change, if any, in his income or financial circumstances.

Sec. 152-90 has been revised to provide that if an applicant or recipient is residing in a makeshift shelter such as a dugout, cave, or tent, and such housing arrangement is temporary, the free rent therefrom may be considered inconsequential. If the applicant's or recipient's permanent home is a "makeshift shelter" the value placed on free rent in such "makeshift shelter" shall not exceed \$3 a month.

Sec. 152-10 has been revised to delete the statement that a makeshift shelter of negligible value may be considered as an inconsequential resource.

Sec. 153-10 has been revised to change the amount of exempt income in APSB to \$1000 as provided under the amended statute.

Sec. 352-20, as revised, contains instructions for the completion of the items on the reverse of the current Form Bl 206, Recipient's Affirmation of Eligibility.

Sec. 352-25 has been revised to delete the reference to Sec. 565-00 which is obsolete. Instructions for the completion of Form DPA 10, Monthly Statistical Report on Public Assistance Reinvestigations, are in Department Bulletin No. 406.

The statement regarding the due date for submitting Forms Ag, Bl, CA 232, Notice of Change, has been deleted from Sec. 353-20. Instructions for submitting Form Ag 232 are in Department Bulletin No. 417. The due date for submitting Form Bl 232 is given in Sec. 361-90, and for Form CA 232 in Sec. C-563 of the Manual of Policies and Procedures - Aid to Needy Children.

Department Bulletin No. 349 is now obsolete.

123-20 RETURN FROM OUT OF STATE TO COUNTY OF RESIDENCE

123-20

AFTER AID DISCONTINUED

OAS, ANB, APSB

A former recipient of aid whose aid has been discontinued for cause during absence from the state but who has retained California residence by intent would not have interrupted his California residence by such absence and aid may begin immediately upon physical return to the state. The fact that residence was retained and that need continues shall be verified.

This section is not pertinent to ANB or APSB recipients who became blind while California residents, as they are eligible to restoration of aid immediately upon physical return to the state regardless of loss or retention of state residence and dependent only on continuance of other eligibility status.

Neither does this section apply to minor recipients of ANB or APSB who became blind while not residents of this state, if such minors' state residence is contingent upon their own physical presence in California. (W&IC 2140, 2160, 3040, 3043, 3075, 3430, 3431, 3460)

122-75 INTER-COUNTY TRANSFER OF AID BECAUSE OF WOMAN
RECIPIENT'S MARRIAGE
OAS, ANB, APSB

122-75

A woman recipient of aid who marries a resident of another county ordinarily assumes her husband's residence as of date of marriage. Arrangements should be made by counties concerned for an inter-county transfer of aid as soon as one year of residence in the county of husband's residence has been acquired by woman. For fuller discussion of married woman's residence, see Secs. 120-30, 120-32, 120-33. (W&IC 2140, 2161, 3042.10, 3075, 3433, 3460; AGO 10322, 10367, NS1793)

123-00 ABSENCE OF RECIPIENT FROM STATE WITHOUT LOSS OF RESIDENCE
OAS, ANB, APSB

123-00

A recipient of aid may leave the state for certain specific or temporary purposes without losing California residence because of his absence. Such absences are discussed fully under Sec. 121-40, etc., Absence from State Prior to Application. (W&IC 2140, 2160d, 3042, 3075, 3432, 3460)

123-05 CONTINUANCE OF AID WHILE RECIPIENT ABSENT FROM STATE
OAS, ANB, APSB

123-05

If a recipient leaves the state for a temporary period without loss of California residence, aid shall be continued as long as residence is retained and the person remains otherwise eligible.

A recipient who leaves the state for a temporary period shall be required to inform the county of residence every two months regarding his living plan and his intent with respect to residence and to state the change, if any, in his income or financial circumstances.

If there is prolonged absence, the county may request the welfare agency in the community to interview the recipient for assurance that need continues. If reinvestigation falls due during temporary absence from the state, such reinvestigation shall be made as provided in Sec. 351-80, Reinvestigation During Absence From the State. (W&IC 2140, 3075, 3460)

152-10 (Continued)

152-10

Unencumbered homes having a county assessed value of \$500 or less, have a minimum value of occupancy of \$3.00 per month. The value of occupancy shall be increased at the rate of \$1.00 per month for each additional \$500 assessed valuation or fraction thereof, up to a maximum of \$9.00 per month. The following table sets forth the occupancy value of unencumbered homes in accord with the county assessed valuation of the property.

Value of Occupancy of Unencumbered Homes

Assessed Value	Value of Occupancy
\$500 or less	\$3.00
\$501 to \$1000	4.00
1001 to 1500	5.00
1501 to 2000	6.00
2001 to 2500	7.00
2501 to 3000	8.00
3001 or over	9.00

The application of the table may be modified when basic needs of the recipient other than shelter can not be met due to the excessive cost of taxes or assessments. In such event the case record shall show the particular cost which necessitated a modification of the table.

Encumbered homes have a value of occupancy which shall be determined by subtracting from the appropriate value of occupancy as shown in the table for unencumbered homes the required monthly payment on liens (including principal and interest). The remainder, if any, is the net value of occupancy on encumbered homes.

EXAMPLE A: Property owned by a single recipient assessed at \$1200 is encumbered for \$250. Monthly payments on the encumbrance are \$3.00 (principal \$2.50 and interest 50%).

Value of occupancy from table for unencumbered homes	\$5.00
Less payments on encumbrance	3.00
Net value of occupancy	\$2.00

When payments on liens, including principal and interest, or on a contract of sale (principal and interest) are required to be paid periodically, i.e., quarterly, semi-annually, annually, or at other stated non-monthly intervals, the required payment shall be pro-rated on a monthly basis. This pro-rated figure shall be considered as the equivalent of the required monthly payment, and shall be deducted from the table value of occupancy in order to determine the net value of occupancy.

(Section Continued on Next Page)

152-10 OCCUPANCY VALUE OF HOMES OWNED BY RECIPIENTS
OAS, ANB, APSB

152-10

In OAS and ANB, the value of currently used resources shall be considered in determining the amount of aid. Homes owned and occupied by recipients of OAS and ANB are considered currently used resources and the value of their use shall be considered in computing the grant. In APSB, the value of the use and occupancy of premises owned and occupied by the applicant or recipient is exempt from consideration until the income, together with that from other exempt sources, exceeds \$1,000 per year. (See Sec. 151-30, Definition of Exempt Income in APSB.)

The value of occupancy is determined in accordance with the assessed value of the property. The full assessed value is considered in determining the value of occupancy to the recipient, whether he alone occupies the home which he owns or whether it is shared with his spouse, or with others who may, or may not, have an interest in the property.

If the home is the separate property of the ineligible spouse who alone is bearing the cost of upkeep, taxes, etc., the recipient is, in fact, receiving free rent. The value is determined as in any other case in which free rent is contributed by another. (See Sec. 152-90, Value of Contributions in Kind.)

The recipient who holds life estate in the property he occupies is guaranteed the use of the resource and its occupancy value shall be considered in the same manner as though the recipient held title to the property.

(Section Continued on Next Page)

152-10 (Continued)

152-10

Two or more separate dwellings, one of which the recipient occupies, may be located on property owned by him. The value of occupancy of the one dwelling shall be determined by dividing the assessed valuation of the whole property by that fraction which represents the number of rooms in the occupied dwelling over the total number of rooms in all dwellings located on the property.

Example E: Property has front house of six rooms and rear cottage of three rooms which is occupied by recipient. Value of occupancy of rear cottage would be based on $\frac{3}{9}$, or $\frac{1}{3}$ of the total assessed value of the whole property. The net income from the rented dwelling shall be determined according to Sec. 152-00.

Farm or ranch homes are usually located on property consisting of a number of acres. In general, it shall be considered that one acre of the land is attached to the dwelling, and the value of occupancy shall be based on the assessed value of the dwelling and one acre of land.

Example F: Home consists of dwelling and 20 acres of orchard. Assessed value RE \$1000, Imp. \$300, total \$1300. Value of occupancy would be computed on the assessed value of \$350 (Imp. \$300: RE $\frac{\$1000}{20}$)

If an income is derived from the orchard the net income shall be computed in accordance with Sec. 151-90, Income from Crops or Livestock, and the taxes on the balance of the land ($\frac{950}{1300}$ or $\frac{19}{26}$ of taxes on whole property) is considered an expense and allowed in determining net income from that portion of the property.

(Section Continued on Next Page)

152-10 (Continued)

152-10

When a home is owned as community property each of the couple is responsible for one-half the encumbrance payment. Therefore, only one-half of the required monthly payment on the encumbrance (or on a contract of sale) is to be deducted from the value of occupancy as set forth in the table.

Example B: A home occupied by a couple is assessed at \$1,350. The required monthly payment on a \$300 encumbrance is \$7.00 per month (principal and interest). The net value of occupancy for each of the couple is computed as follows:

Value of occupancy from table for unencumbered homes.	\$5.00
Less share of payments on encumbrance	3.50
Net value of occupancy.	\$1.50

Duplex dwellings usually contain two identical units. Therefore, the value of occupancy of one unit occupied by the recipient shall be based on one-half the assessed value of the whole property. The net income from the other unit shall be determined in accord with Sec. 152-00, Net Income from Real Property.

An apartment in a building owned by the recipient has a value of occupancy which is determined by dividing the assessed valuation of the whole property by the number of apartments. The net income from the other apartments is determined in accord with Sec. 152-00.

Example C: Apartment house of four comparable units is assessed for \$2800. Net value of occupancy of one unit (occupied by recipient) is based on one-quarter of assessed valuation of the whole property.

If rooms (as distinct from apartments) in a home owned and occupied by the applicant or recipient are rented, the net value of occupancy, if any, and any net income from roomers shall be considered in determining the amount of the security payment. The net income from roomers shall be determined by deducting from the gross income from roomers the cost of extra utilities due to rental of rooms, any necessary laundry expense because of the roomers, and the cost of replacement of linens or other household equipment used in connection with the rental of rooms. If the monthly total cost of pro-rated taxes, insurance, the required encumbrance payments (principal and interest), if any, \$2 monthly allowance for minor repair and upkeep (or the recipient's monthly share thereof), and the net occupancy value, if any, exceeds \$15, the amount in excess of \$15 shall be allowed as special need.

Example D: A recipient and his spouse own their own home and rent two rooms receiving \$30 gross rental. The extra cost of utilities because of the roomers is determined to be \$2.50 a month. The laundry cost for linen used by the roomers is estimated at \$2 per month, and the cost of replacement of linen, etc., is estimated at \$1 per month. The couple's net income from the roomers is \$30 less \$5.50 (\$2.50 utilities, \$2 laundry and \$1 replacement) or \$24.50 (\$12.25 each). The home is assessed at \$1100 and is encumbered. The required monthly encumbrance payment is \$18 and there is no net occupancy value. City and county taxes average \$12 a month, insurance \$1, and upkeep \$2. The couple's total housing cost is \$33 (\$18 encumbrance, \$12 taxes, \$1 insurance, and \$2 upkeep) or \$16.50 each. This is \$1.50 more than the basic housing cost for each recipient (\$15) and therefore there is a special need for housing in the amount of \$1.50 per month. In the absence of other special need the total need in OAS is \$76.50 (\$75 plus \$1.50) or in ANB \$86.50 (\$85 plus \$1.50). Deducting the \$12.25 income from total need results in a grant of \$64.25 in OAS or \$74.25 in ANB.

(Section Continued on Next Page)

152-20 INCOME FROM PERSONAL PROPERTY

152-20

OAS, ANB, APSB

Returns in the form of interest on money, bank or building and loan accounts, bonds, dividends upon stock, or other returns from personal property represent income. (See Sec. 150-50, Types of Casual Income.)

Cash received as beneficiary of an insurance policy other than an insurance policy of the spouse and cash received on a periodic basis from an insurance policy owned by recipient (whether life, disability, compensation, or retirement insurance), represents income.

Income derived from personal community property shall be shared equally with the eligible or ineligible spouse. (W&IC 2140, 3075, 3460)

152-30 GENERAL RELIEF AS INCOME

152-30

OAS, ANB, APSB

If General Relief is granted to an applicant or appellant for OAS, ANB, APSB or ANC pending the determination of such applicant's or appellant's eligibility, the amount of GR so granted constitutes net income for the month within which it is received, and shall be taken into consideration in the computation of any retroactive or current grant of categorical aid for such month(s).

If GR is granted in order to enable a recipient to meet excess needs, the amount of GR constitutes income for the month within which it is received, to be related to the recipient's total needs for that month.

Emergency GR granted a recipient who has lost or spent his grant of categorical aid and given for the purpose of enabling a recipient to meet his basic needs for the remainder of the month, may be considered casual income, not subject to collection or adjustment. If it is not considered casual income it shall be treated as other income, with an adjustment to be made within the current adjustment period (see Secs. 351-10 and 351-50) or a repayment to be collected within the current adjustment period and to be reported to the SDSW in the same manner as other repayments of aid in accordance with Secs. 670-00 through 674-99. (W&IC 2140, 3075, 3460)

152-10 (Continued)

152-10

When the home is a part of business property such as chicken, dairy, or other ranching enterprise, and the assessed value of improvements (or buildings) in part belongs to the enterprise and in part to the dwelling, the portion of the assessed value of improvements to be considered as belonging to the home is left to the judgment of local authorities, unless allocation of assessed value of the dwelling can be secured from the assessor's records. Value of occupancy shall be computed on assessed value as with other homes.

Example G: The home is on a dairy ranch. The assessed value is RE \$1000, Imp. \$2000, Total \$3000. Improvements consist of a small three-room dwelling and a large modern barn, dairy, etc., on 50 acres. It is determined by local authorities that the dwelling represents only $\frac{1}{50}$ of the value of all improvements. The assessed value of the dwelling shall be $\$500 \div \frac{1}{50} = \20 or \$20. (1 acre of land or $\frac{1000}{50} = \$20$) or \$20.

If the home is part of an urban business property such as store building with apartment above, the assessed value of the portion used as the home shall be determined as above.

Homes on land owned by another may be assessed as personal property to the owner of the dwelling. Determine the value of occupancy in the same manner as for real property. Such homes may include cabins on Federal lands such as national forests, Indian reservations or allotments, land owned by a corporation or private land owned by another; etc.

If the dwelling is not assessed, the value of occupancy shall be based upon the appraised value in accord with the following table.

Value of Occupancy as Determined by Appraised Value

Appraised Value	Value of Occupancy
\$500 or less.	\$3.00
501 - 799	4.00
800 - 999	5.00
1000 or over.	6.00

If rent is paid for the land on which the dwelling rests, the value of occupancy is determined by subtracting the monthly land rent from the appropriate figure set forth in the foregoing table. (See Sec. 150-40, Definition of Casual Income and Inconsequential Resources.) (W&IC 2020, 2140, 3075, 3084, 3460, 3472)

152-90 (Continued)

152-90

II. FREE UTILITIES

If all utilities are included in the free shelter provided, \$6.30 shall be added to the value placed on the free rent. Thus, for free rent and free utilities the value to be used if housing is set at the minimum amount, shall be \$11.30 a month; if housing is set at the intermediate amount, \$16.30 a month; and if housing is set at the maximum amount, \$21.30 a month.

III. FREE ROOM AND BOARD

If free room and board are provided, the individual ordinarily has no expense for household maintenance and replacements; in which case the value for room and board shall be the sum of the values placed on free rent (\$5, \$10, or \$15), free food (\$28.50), free utilities (\$6.30), and household maintenance and replacements (\$4.50). If the room and board does not include all of these items, the total value of the items which are included shall be regarded as the value of the room and board. (W& IC 2140, 3075, 3460)

153-10 GIFTS AS INCOME
OAS, ANB, APSB

153-10

Gifts in cash or the value of items of support in kind, such as board, room, clothing, etc., received from others, including public or private agencies, fraternal, benevolent, and non-profit organizations, or private institutions having no legal obligation for support, represent income. In OAS and ANB gifts which have no significance in meeting the continuing needs of the recipient and which have been determined to represent casual income shall not be considered in determining the grant of aid. In APSB, when gifts are received the value thereof is subject to the \$1,000 exemption. (See Secs. 150-50, Types of Casual Income, and 152-60, Offer of Support as Income.) Gifts of items of personal property such as the gift of a radio, refrigerator, chair, etc., do not represent income. (W& IC 2020, 2140, 3075, 3084, 3460, 3472)

153-40 INCOME FROM COURT ORDERS
OAS, ANB, APSB

153-40

When there is a court order for full or partial support of the applicant or recipient he shall be presumed to have income in the amount awarded by the court. This presumption shall be considered to have been rebutted where the amount received as a result of the court order is less than the amount so ordered and only the amount received shall be considered income.

The case record shall show the date and provisions of the court order. When a determination is made that no amount or a lesser amount than that awarded

(Section Continued on Next Page)

152-90 VALUE OF CONTRIBUTIONS IN KIND
OAS, ANB, APSB

152-90

The value placed upon rent, utilities, food, or other items of support contributed in kind to an applicant or recipient shall not be in excess of an amount which will permit the recipient to meet his other needs such as incidentals, transportation, etc.

The following factors shall determine the monetary value of shelter and utilities and room and board for which the applicant or recipient is not required to pay because they are furnished by relatives, employers, or others:

I. FREE RENT

If an applicant or recipient is in receipt of free rent the value placed thereon shall not be less than \$5 nor more than \$15. (For exception see discussion of makeshift shelters below.) Within these minimum and maximum amounts, the value placed upon the shelter furnished without cost to any given applicant or recipient shall be determined by taking into consideration both of the following factors:

- A. Comparable rental costs in the community. In no instance shall value placed upon free rent furnished an applicant or recipient exceed the rental charged for comparable shelter in the same community, except that the minimum amount set in the standard may not be reduced.
- B. Adequacy of housing. The following definitions of sub-standard, intermediate, and standard housing shall be used to determine the degree of adequacy of the housing provided an applicant or recipient:
 1. Sub-standard housing--a dwelling or a room which does not have adequate sanitary facilities, safety provisions, or any of the other factors mentioned below.
 2. Intermediate housing--a dwelling or a room which does not have adequate provisions for privacy and comfort, but where there are adequate sanitary facilities and safety provisions.
 3. Standard housing--a dwelling or a room which meets minimum standards of health, safety and decency, including such items as adequate privacy, sanitary facilities, and comfort.

In making the determination of the value to be placed on free housing, based upon a combination of the factors of comparable rental costs and adequacy of housing, one of three monetary amounts shall be used: the minimum amount set forth in the standard (\$5); the intermediate amount in the standard (\$10); or the maximum amount set forth in the standard (\$15).

If an applicant or recipient is residing in a makeshift shelter such as a dugout, cave, or tent, it is a "makeshift shelter." The value placed on free rent in such "makeshift shelter" shall not exceed \$3 a month.

The basis for the determination of the value placed on free rent shall be recorded in the case record.

(Section Continued on Next Page)

352-25 (Continued)

352-25

The date reinvestigation was completed is defined as the month in which the county worker and/or the case supervisor or county welfare director (dependent upon county discretion in determining when the reinvestigation is "completed") signed the reverse of the completed Affirmation of Eligibility (Form Ag, Bl 206). (W&IC 1560, 2140, 3075, 3460)

353-00 OTHER REINVESTIGATIONS
OAS, ANB, APSB

353-00

Upon receipt of a report of an alleged resource or other unverified information which raises question regarding a recipient's continued eligibility, appropriate investigation shall be initiated promptly. A sustained effort shall be made to complete the investigation within the first month following that in which the report causing the investigation is received. (W&IC 2140, 3075, 3460)

353-05 REPORT REQUIRED OF RECIPIENT WHO LEAVES STATE
OAS, ANB, APSB

353-05

A recipient who leaves the state for a temporary period shall be required to inform the county of residence every two months regarding his living plan and his intent with respect to residence, and to state the change, if any, in his income or financial circumstances.

If warrants are mailed out of the state on a continuing basis, the county may verify the whereabouts of the recipients by forwarding occasional warrants by registered mail with a return receipt requested. (See Secs. 123-20, Return From Out of State to County of Residence After Aid Discontinued, and 123-50, Loss of State Residence While in Receipt of Aid.) (W&IC 2140, 3075, 3460)

353-20 CHANGES IN AID FOLLOWING REINVESTIGATIONS
OAS, ANB, APSB

353-20

If a reinvestigation, either annual or otherwise, indicates a change in the amount of the grant, such change shall be made as soon as administratively possible. (See Sec. 360-25, Reasons for Changes in Amount of Aid.) (W&IC 2140, 3075, 3460)

352-20 RECORDING OF REINVESTIGATION
ANB, APSB

352-20

The results of the reinvestigation shall be recorded on the reverse of Recipient's Affirmation of Eligibility, Form Bl 206, unless an alternate form approved by the SDSW is used or the material is recorded elsewhere in the case record. Regardless of where the results of the reinvestigation are recorded, Item 10 on the reverse of Form Bl 206 shall be completed for every case.

The following are instructions for the completion of specific items:

Items 1, 7, 8, 9, and 10 are self-explanatory.

Item 2, Real Property--If circumstances require real property reinvestigation (see Sec. 351-15, Reinvestigation of Real Property), record the specified information and source of verification. Enter "recipient's statement" if no further verification is required.

Item 3, Personal Property--If circumstances require personal property reinvestigation (see Sec. 351-20, Reinvestigation of Personal Property), record specified information and source of verification. Enter "recipient's statement" if no further verification is required.

Item 4, Income--Enter the sources of all income and the amount from each source. If the recipient lives in a home owned outright or in which he has an interest, record "Home owned" under "Source" and the value of use and occupancy as computed according to SDSW rules under "Amount"; if there is no net value of use and occupancy, enter "none."

Item 5, Special Need in Excess of Maximum Grant (ANB)--If need in excess of the maximum grant is established, enter the nature and amount of the need.

Item 6, Plan for Self-support--Enter the verification of the plan of self-support and source of information. (See Sec. 351-55, Redetermination of Eligibility.)

The date at the bottom of the reverse of the form is the date the worker completed the reverse of Form Bl 206. (W&IC 3075, 3460)

352-25 NOTIFICATION TO SDSW OF COMPLETION OF REINVESTIGATIONS
OAS, ANB, APSB

352-25

A statistical report on reinvestigations completed shall be submitted each month by the county on Form DPA 10, Monthly Statistical Report on Public Assistance Reinvestigations.

(Section Continued on Next Page)

Certified as a Regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. D. Chandler
(Signature)

Director
(Title)

10-26-50
(Date)

T-22
C-2

241C 103,103.6,3075

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE In the Office of the Secretary of State
616 K STREET of the State of California
SACRAMENTO 14
October 25, 1950

OCT 31 1950

DEPARTMENT BULLETIN NO. 443 (ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

At 11:01 o'clock... M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Federal Reimbursement in
Payments to Recipients in
Public Medical Institutions--
ANB

The Social Security Act was amended by Public Law 734 (HR 6000) to provide assistance to needy persons who are patients in public medical institutions. Under Section 3044 of the Welfare and Institutions Code, aid shall continue to be paid for two calendar months after the recipient enters a public hospital for medical or surgical care. As a result of the amendment to the Social Security Act, there are changes in the rulings governing federal participation in the payments for those two calendar months.

The provisions of Manual Section 164-10, Eligibility During Hospitalization, continue in effect except that the fourth paragraph (beginning with "Federal reimbursement is allowed . . .") is rescinded.

Effective October 1, 1950, it is no longer necessary to determine the probable period of hospitalization. However, for each recipient who enters a public institution it is necessary to secure a statement each month from the institution which specifies whether or not the recipient:

- (1) Is a "patient" in a "public medical institution" as defined herein;
- (2) Has a diagnosis of tuberculosis or mental disease;
- (3) Is a patient in a public institution maintained for the purpose of treating persons suffering from tuberculosis or mental disease, and
- (4) Is an inmate of a public institution of a custodial or correctional character or an inmate of a unit in a public medical institution in which unit only infirmary or custodial care is provided.

The statement from the public institution shall be filed in the case record or there shall be a cross reference to such information elsewhere in the county welfare office.

I. Definitions

A. Public Medical Institution

A public medical institution is one which:

1. Is maintained in whole or in part by or through any public instrumentality, official or employee, acting in an official capacity or, by reason of the circumstances of its origin and charter or maintenance from public funds, is a public institution. (It does not include a private institution which by agreement with a public instrumentality is offering care at a single or lump sum contract price. AGO 48/176.)

2. Is operated for the purpose of providing medical care, including nursing and convalescent care, and has the necessary professional personnel, equipment and facilities to meet the medical needs of patients on a continuing basis in accordance with accepted standards.
3. Is staffed by professional medical and professional nursing personnel who have clear and definite responsibilities to the institution in the provision of medical services to patients.

B. Patient

The following criteria shall be met in making the determination that a person is a "patient" in a public medical institution:

1. The person is in a public medical institution because of an illness for which he is receiving planned, continuing medical treatment including physician's services and nursing care, directed toward improvement in health, or is receiving medical treatment for an illness for which medical measures are required though improvement in health or recovery cannot be expected.
2. The individual is free to leave at the conclusion of treatment, or at any other time upon his own decision.

A person is not a patient if he is in an institution rendering infirmary or custodial care and he does not receive continuing, planned medical care even though he has a disability which prevents him from maintaining himself outside an institution. The major factor which establishes whether or not a person is a "patient" is the individualization of medical care received in "patient" care as distinguished from congregate services.

II. Federal Participation Available in Payments

Federal participation shall now be claimed in the payment for the first and second calendar months when the institution is not maintained for the purpose of treating persons suffering from tuberculosis or mental disease and:

1. It is determined that the recipient is a "patient" in a "public medical institution" as defined herein.
2. There is on file in the case record a written statement from the superintendent or other official of the institution that the recipient is a "patient" in a "public medical institution."
3. The statement specifies that the recipient does not have a diagnosis of tuberculosis or psychosis.

If on the first day of the month a recipient has the status of a patient in a public medical institution, federal participation is available in the payment for the full month even though the recipient may lose "patient" status during the month by transfer to a custodial unit. (Claiming for federal participation shall be discontinued as of the end of the month in which such transfer occurs.)

III. Federal Participation Not Available

A recipient who is a patient in a public institution maintained for the purpose of treating persons suffering from tuberculosis or mental disease, or who is a patient in any other public medical institution with a diagnosis of tuberculosis or psychosis, is eligible to receive aid for two calendar months following the date of admission. Federal participation is not available in the two monthly payments. Exception: Aid shall be discontinued as of the last day of the month in which a recipient enters any public institution under court commitment.

The foregoing paragraph supersedes conflicting instructions in Manual Section 627-30 under "Hospitalization" and in Department Bulletin No. 436, Section III, paragraph entitled "Discontinuance Because of Hospitalization."

IV. Circumstances Under Which Claiming for Federal Participation Shall be Discontinued at the End of the Month in Which the Recipient is Admitted to a Public Institution:

- A. Claiming for federal participation shall be discontinued at the end of the month in which a recipient is admitted to:
 - 1. A public institution of a custodial or correctional character.
 - 2. A unit in a public medical institution in which only infirmary or custodial care is provided.

V. Claim Adjustments

Since the above policies are effective October 1, 1950, necessary adjustments in federal participation will have to be made retroactively by the county in order that payments made for October and subsequent months will be claimed correctly. Claim adjustments shall be made by use of Form AB 816 (Department Bulletin 423, Page 2, Item 5).

VI. Reporting Discontinuances Due to Hospitalization

- A. Aid discontinued at end of second calendar month of hospitalization. Section II of Form Bl 232 discontinuing aid at the end of the second calendar month shall be completed as follows:
 - 1. Check Item C-14 (or Item C-16 if not a county hospital) and enter date of admission.
 - 2. If federal participation is not available for the payments made to the recipient during the two calendar months of hospitalization state under "Remarks" the specific months for which federal participation is not available and give the reason.

Example: Admitted to county hospital on September 15, aid discontinued November 30. Under "Remarks" state "No federal participation for October and November---diagnosed as TB."

- B. Aid discontinued because of death in public medical institution during the first or second month of hospitalization.

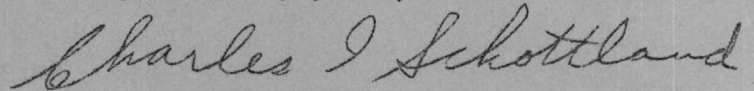
Section II of the Form Bl 232 discontinuing aid for a recipient who died in a public medical institution shall be completed as follows:

1. Check C-1, and enter the date of death.
2. Check Item C-14 (or C-16, if not a county hospital) and enter the date of admission.
3. If federal participation is not available in payments made to the recipient after admission to the public medical institution state under "Remarks" the specific months for which federal participation is not available and give the reason.

This supersedes conflicting instructions in Manual Section 362-45.

- VII. Aid shall be discontinued if the recipient remains in the institution more than two calendar months. If the case is one for which county institutional subvention is available, the provision governing subvention claiming shall apply.

Very sincerely yours,



Charles I. Schottland
Director

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
816 K STREET

14

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

Sacramento 14
October 25, 1950

IN REPLY PLEASE REFER
TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the
State Department of Social Welfare with Adoption Manual Letter No. 23.

These regulations were adopted by the State Social Welfare
Board on October 20, 1950, pursuant to the powers conferred upon it by
the Welfare and Institutions Code under Section 103, and are being
filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

Charles I. Schottland
Charles I. Schottland
Director

Attachments

FILED

In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By *[Signature]*
Deputy

Certified as a Regul on (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schaefer
(Signature)

Director
(Title)

10-25-50
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 27, 1950

ADOPTION MANUAL LETTER NO. 23

The attached revisions numbered 121 through 123 are to be entered in your copy of the Manual of Adoptions and the revision numbers canceled on the inside of the manual cover.

These revisions were adopted by the Social Welfare Board on October 20, 1950, to be effective December 1, 1950.

New Sec. 2148-00 provides that a court report shall be filed on every petition even though the petition may have been dismissed before the completion of the investigation and the filing of the report. Sec. 2335-00, as revised, provides further, that in cases in which the petition is dismissed, every effort shall be made to learn what plan has been made, or is to be made, for the child in order that the home may be referred to the accredited agency for a boarding home license, if necessary, or that the child may be referred to the probation officer. If there is an unrevoked consent involved and the parents have not reclaimed the child nor made another plan for him, the department or county agency is responsible for making a suitable plan.

Sec. 2210-00 has been amended to explain that the surrender of custody of a child in a divorce action in another jurisdiction cannot be construed as a voluntary surrender acceptable in California in lieu of consent.

In Sec. 2999-00, delete from Form Adop M56B, Monthly Statistical Report on Children Legally Free for Adoption Under the Relinquishment Program, the words "For Departmental Discussion Only" which appear above the title of the form.

FILED

In the Office of the Secretary of State
of the State of California

OCT 31 1950

At 11:01 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

2146-00 CERTIFICATE OF ADOPTION

2146-00

The Certificate of Adoption, which Section 10250 of the Health and Safety Code requires the county clerk to file with the State Department of Public Health, calls for certain information to be furnished by the agency or department handling the adoption. This applies to the SDSW or the county adoption agency in an independent adoption; to the licensed adoption agency, public or private, in the agency adoption; and to the probation officer in the stepparent adoption.

Parts I and II of the certificate shall be completed by the agency or department which shall enter its name and address in the proper spaces (20 and 21) and transmit the form in duplicate to the county clerk, with the court report, at the hearing, or immediately after the granting of the adoption. (See Secs. 2360-00, D, and 2478-00)

2147-00 DENIAL - INDEPENDENT ADOPTION

2147-00

A. If the State Department of Social Welfare or county adoption agency recommends that the petition for adoption be denied, it shall:

1. File a full report with the court recommending a suitable plan for the child.
2. Appear before the court for the purpose of representing the child. (Sec. 226B, Civil Code)

B. Filing Report

1. The report of the State Department of Social Welfare or county adoption agency recommending denial of an adoption petition shall be accompanied by a notice to the county clerk that recommendation is denial; that in accordance with the law, the State Department of Social Welfare or county adoption agency will appear at the hearing to represent the child; and that it requests notice of the hearing.

If the recommendation of denial is based on the fact that the home of the petitioners is not suitable for the child, the notice to the county clerk shall also request that the report be referred to the superior court for review. (Sec. 226, Civil Code)

2. If the report of the State Department of Social Welfare or county adoption agency recommends denial of an adoption petition and the agency will appear at the hearing to represent the child, a copy of the report should be sent to the legal counsel for the agency. (Copy of report need not be submitted to the agency counsel if the hearing is to be postponed awaiting clearance of legal technicality or other obstacle.)

(Section Continued on Next Page)

2140-00 COURT APPEARANCE

2140-00

A. Appearance

The person or persons desiring to adopt a child and the child proposed to be adopted must appear before the court. (Secs. 227 and 227aa, Civil Code)

Exception

Provision is made for exception if the adoptive parent is commissioned or enlisted in the military service or auxiliary thereof of the United States, or any of its allies, or in the American Red Cross, and appearance is impossible or impractical. In such cases appearance may be made for such person by his or her counsel, commissioned and empowered in writing to do so. (Sec. 227, Civil Code)

B. Examination by Court

The court must examine all persons appearing before it, each separately. When appearance is made by counsel, the court may, in its discretion, cause such examination of the adoptive parent, other interested party, or witness to be made upon deposition, as it deems necessary. (Sec. 227, Civil Code)

C. Agency Representation

There is no legal requirement that the investigating agency or agency making the placement shall have a representative in court if the recommendation is approval, and it is not customary to be so represented, except upon request of the court, the petitioners, or their attorney.

If the recommendation is denial, or if the petitioners withdraw their petition or have it dismissed but the parents consent is unrevoked, the law provides that the SDSW or public adoption agency shall appear before the court to represent the child.

2145-00 ACTION TO GRANT THE ADOPTION

2145-00

- A. If the court is satisfied that the interests of the child will be promoted by the adoption, the party or parties adopting shall execute or acknowledge an agreement in writing that the child shall be treated in all respects as a lawful child of the party or parties.

In those cases where the adopting parent is permitted to appear by counsel the agreement may be executed and acknowledged by such counsel for such absent parent or may be executed by such absent parent before a notary public or any other person authorized to take acknowledgments, including the persons authorized by Sections 1183 and 1183.5 of the Civil Code. (Sec. 227, Civil Code) The court shall thereupon make an order awarding the custody of the child to the adopting parent or parents. (Sec. 227, Civil Code)

- B. The petition, relinquishment, agreement and order, and any power of attorney and deposition must be filed in the office of the county clerk and shall not be open to inspection by any person other than the parties to the action and their attorneys, and the State Department of Social Welfare, except upon the written authority of the judge of the Superior Court. (Sec. 227, Civil Code)

2150-00 APPEAL - INDEPENDENT ADOPTION

2150-00

A. Appeal may be filed in the Superior Court of the county in which the petition is filed. (Sec. 226, paragraph 9, Civil Code)

1. By the natural parent or parents, or
2. By the petitioners.

B. Grounds for appeal are:

1. Failure or refusal of the State Department of Social Welfare or county adoption agency, within 180 days from the date of the filing of the petition, or the expiration of any extension of time granted by the court, to accept the consent of the natural parent or parents; or
2. Failure or refusal of the State Department of Social Welfare or county adoption agency to give its consent to an adoption in those cases where its consent is required.

C. The procedure is as follows:

1. The clerk of the court shall immediately notify the State Department of Social Welfare of such appeal.
2. The State Department of Social Welfare or county adoption agency shall file a report of its findings and the reason for its failure or refusal to consent or to accept the consent of the natural parent. A copy of the report must be sent to the attorney for the petitioners, or if they have no attorney, to the petitioners. If there is no further information to add to the full report already filed, the report can be a statement that there is no new information and that the recommendation of the State Department of Social Welfare or county adoption agency is based on the findings contained in the final report.
3. After the filing of the findings of the State Department of Social Welfare or county adoption agency the court may, if it deems that the welfare of the child will be promoted by the adoption:
 - (a) Allow the signing of the consent by the natural parent or parents in open court.
 - (b) If the appeal is from the refusal of the State Department of Social Welfare or county adoption agency to consent, grant the petition without such consent.

2147-00 (Continued)

2147-00

C. Setting the Case for Hearing

It is the responsibility of the petitioners' attorney to set the case for hearing, but if the recommendation is denial, the attorney may neglect or refuse to set it. If so, it shall be the responsibility of the State Department of Social Welfare or county agency to set it.

If notice of hearing is not received within thirty days after the filing of the report, the State Department of Social Welfare or county adoption agency should arrange for the hearing. The agent should consult with the legal counsel for the agency to determine whether the agent or legal counsel will discuss the matter with attorney for the petitioners and, if necessary, will contact the county clerk requesting that the case be set for hearing, and that notice of hearing be given to all parties.

If denial is recommended because of an obstacle, legal or otherwise, which may be cleared within a reasonable length of time (such as an action to declare the child free from custody and control of his parents, pregnancy of the woman petitioner, or the need for further time to observe the development or adjustment of the child), the hearing can be deferred awaiting clearance of the obstacle and the filing of a supplemental report. This will necessitate the setting up of a signal or tickler system by the district office or the county agency on all such denials so that the case may be set for a hearing and a plan approved by the court if the obstacle cannot be cleared.

D. Court Appearance

A representative from the State Department of Social Welfare or county adoption agency and/or legal counsel for the agency shall appear to represent the child at all hearings on adoption petitions where the court report has recommended that petition be denied.

2148-00 COURT REPORT FOLLOWING DISMISSALS

2148-00

The SDSW or county adoption agency has jurisdiction in an independent adoption only by reason of the fact that there is a pending court proceeding. While its responsibility is to investigate and report to the court on all pending proceedings, a report shall be filed on every petition even though the petition may have been dismissed before the completion of the investigation and the filing of the report. If the investigation has not been started or is incomplete at the time of the dismissal, the report shall give as much information as is known to the department or county agency, the circumstances surrounding the dismissal, and, if it is known, the plan that has been made for the child.

2210-00 ACTIONS IN LIEU OF CONSENT OR RELINQUISHMENT BY PARENTS

2210-00

- A. The consent of the father is not necessary if the custody of any legitimate child has, by any judicial decree, been given to the mother, and the father for a period of one year shall wilfully fail to pay for the care, support, and education of such child when able to do so. The mother alone may consent to such adoption, but only after the father has been personally served with a copy of a citation requiring him to appear at the time and place set for the appearance in court under Sec. 227 of Civil Code; if the father can not be located for personal service, the same may be made by publication as provided for the publication of summons in Sec. 413 of the Code of Civil Procedure. (Sec 224, Civil Code)
- B. The consent of the parent or parents is not necessary under the following circumstances:
1. If the father or mother of any child has been judicially deprived of the custody and control of the child by order of the Juvenile Court, declaring the child to be free from the custody and control of either or both of his parents as provided in Secs. 701, 720, 775 - 786, Welfare and Institutions Code; or by similar order of a court of another jurisdiction, pursuant to the law of that jurisdiction; or if the father or mother has in a judicial proceeding in another jurisdiction voluntarily surrendered his right to custody and control of the child in accordance with the laws of that jurisdiction. (See Sec. 2620-00, Legal Status of Child.) (See Sec. 224-1, Civil Code)
- These provisions do not refer to the giving up of custody by one parent to another in a divorce decree or the awarding of custody to a parent in a divorce decree. The surrender of custody in a divorce action is incidental to the divorce action and is not pursuant to any law regarding surrender of a child.
2. If the father or mother of any child has deserted the child without provision for its identification. (Sec. 224-2, Civil Code)
 3. If the father or mother of any child has relinquished the child for adoption as provided in Sec. 224m of Civil Code to a licensed adoption agency in California, or to a licensed or authorized child placing agency in another jurisdiction. (Sec. 224-3, Civil Code)
 4. If the father or mother, whose consent is otherwise required, has been declared by a court of competent jurisdiction of this or any other state to be feeble-minded or insane, if the Director of the State Department of Mental Hygiene or the superintendent of the state hospital of which, if any, the father or mother, is an inmate or patient, certify that the father or mother will not be capable of supporting or controlling the child in a proper manner. (Sec. 224-4, Civil Code; see Form Adop M50, Certificate by Supt. of State Hospital)

(Section Continued on Next Page)

2205-00 (Continued)

2205-00

C. An Adopted Child. In the event that an adopted child again becomes the subject for adoption, the consent of the adoptive parents is necessary to the new adoption but the consent of the child's natural parents is not necessary in such cases.

D. Consent or Relinquishment by a Parent Who is a Minor.

1. A parent who is a minor shall have the right to sign a consent for the adoption of his or her child, and such consent shall not be subject to revocation upon such parent's reaching his or her majority. (See Sec. 226, Paragraph 9, Civil Code)
2. The consent of the parents of such parent who is a minor is not necessary to the adoption.

E. Consent of Parent in Prison.

(See Sec. 2370-00 for instructions regarding interviewing and taking consent.)

2335-00 EXTENT OF STUDY

2335-00

An adequate investigation will include not only the gathering of facts in regard to the adoption, but an analysis and evaluation of the facts obtained. The value of the recommendation will depend upon the validity of the findings. Methods for obtaining and verifying information will vary with the individual case.

- A. If the recommendation is to be approval, the investigation should be complete in every respect.
- B. If the recommendation is to be denial, the investigation should be complete unless the parents have not consented or have withdrawn their signed consent and the child has been removed from the home of the petitioners. The fact that the child is no longer in the home should be verified before filing an incomplete report recommending denial. On all other denials the agent will be responsible for making and recommending to the court a suitable plan for the child. (See Secs. 2147-00 and 2380-00)
- C. If the petition is dismissed, the department or county agency has no further jurisdiction in the adoption proceeding and has no authority to make any further investigation in connection with the petition. It has certain responsibilities, however, under Section 1620 of the Welfare and Institutions Code for children outside their own homes and additional responsibility under Civil Code Sec. 226b for any child for whom an unrevoked consent to adoption has been given by the parent. Every effort should, therefore, be made to learn (from the attorney, the petitioners, the natural parents, or other sources), what plan has been made, or is to be made, for the child in order that the home may be referred to the accredited agency for a boarding home license, if necessary, or that the child may be referred to the probation officer if the information received is that the home is not suitable. If there is an unrevoked consent involved and the parents have not reclaimed the child nor made another plan for him, the department or county agency is responsible for making a suitable plan, including the necessary referrals to implement the plan.

2330-00 THE OBJECTIVES OF THE STUDY

2330-00

The objectives of the study are to determine:

- A. Whether the parent's consent is voluntary, and given only after full consideration of possible satisfactory alternatives which might be possible through the child's family or through community resources.
- B. Whether the child is legally free for adoption.
 - 1. That the parent's consent, properly executed, is given where required.
 - 2. That the parent's consent, where otherwise required is not necessary under provisions of Sec. 224, Civil Code.
- C. Whether the child is suitable for adoption, from the standpoint of health, heredity, intelligence and personality.
- D. Whether the petitioners' motives for adoption are sound.
- E. Whether the petitioners are suitable adoptive parents for this child, consideration being given to age, health, emotional stability, harmonious home life, understanding of children, financial security, cultural level, and background.
- F. Whether the child is well adjusted in the petitioners' home.
- G. Whether adoption will provide opportunity for the full development of the child's potentialities.
- H. Whether the child will be brought up in a religious faith acceptable to his natural parents if that is known. If the petitioners are not of the same religious faith as the child's parents, this subject should be discussed with the parents and their express approval should be given before their consent to the adoption is accepted by the SDSW.

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
14

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

Sacramento 14
November 30, 1950

IN REPLY PLEASE REFER
TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the
State Department of Social Welfare with Adoption Manual Letter No. 24.

These regulations were adopted by the State Social Welfare
Board on November 16, 1950, pursuant to the powers conferred upon it by
the Welfare and Institutions Code under Section 103, and are being
filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

FILED

In the Office of the Secretary of State
of the State of California

NOV 30 1950

At 3:10 o'clock PM

FRANK M. JORDAN, Secretary of State

By *John J. [Signature]*
Deputy

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
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2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR
Sacramento 14
November 30, 1950

IN REPLY PLEASE REFER

TO:
FILED

In the Office of the Secretary of State
of the State of California

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

NOV 30 1950

At 3:10 clock P.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 430-E (3 Aids) (Dated October 30, 1950)
DEPARTMENT BULLETIN NO. 440-A (Stat) (Dated November 1, 1950)
DEPARTMENT BULLETIN NO. 441-A (Stat) (Dated October 23, 1950)
DEPARTMENT BULLETIN NO. 444 (ANC) (Dated November 3, 1950)

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, 103.6, 115, 116, 1560, 2140, 3075, and 3460 on November 16, 1950.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

C. I. Schottland
Charles I. Schottland
Director

Attachments

Certified as a Regular (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schottland
(Signature)

Director
(Title)

11-30-50
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 30, 1950

FILED

In the Office of the Secretary of State
of the State of California

NOV 30 1950

DEPARTMENT BULLETIN NO. 430-E (3 Aids)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

At 3:10 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Old Age and Survivors' Insurance
OAS, ANB, APSB, and ANC

Attached is a booklet entitled "Brief Summary of the Social Security Act as amended in 1950 (Old Age and Survivors' Insurance Provisions Only), which outlines the new eligibility requirements for benefits under the Old Age and Survivors' Insurance Program. Counties may also wish to request copies of "Fact Sheet No. 9" from the local Old Age and Survivors field office, which statement gives information on specific provisions in less technical language.

The names of all persons for whom public assistance is now being paid, and who appear to be potentially eligible to receive Old Age and Survivors' Insurance benefits under the new eligibility requirements ("new start provisions") shall be called to the attention of the local Old Age and Survivors' Insurance field office. Form DPA 1 shall be used for this purpose. Write or stamp "new start" at the top of the form. If some different method of referral to the local field office has jointly been agreed upon by the field office and the local welfare department such plan may be followed in lieu of the use of Form DPA 1 provided the mutually agreed upon plan will accomplish the same results.

Review of case records and the determination as to whether potential eligibility exists shall be completed at the earliest possible date and not later than the next annual reinvestigation.

If new applicants appear to be eligible to receive Old Age and Survivors' Insurance benefits such persons shall be requested to file an application for benefits with the nearest Old Age and Survivors' Insurance office.

Sufficient past work history shall be secured and recorded in the case record so that a determination can be made as to the existence of presumptive eligibility for Old Age and Survivors' Insurance benefits. See Manual Section 233-35 and C-370.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

BRIEF SUMMARY OF THE SOCIAL SECURITY ACT
AS AMENDED IN 1950

(Old-Age and Survivors Insurance Provisions Only)

FOR STAFF USE ONLY

FEDERAL SECURITY AGENCY
SOCIAL SECURITY ADMINISTRATION
BUREAU OF OLD-AGE AND SURVIVORS INSURANCE

FOR STAFF USE ONLY

SUMMARY OF THE OLD-AGE & SURVIVORSHIP PROVISIONS
OF THE SOCIAL SECURITY ACT

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DOMESTIC (HOUSEHOLD) WORKERS

Approximately 1 million of the estimated 1.8 million persons who work in domestic service are now covered. The newly covered domestic workers are those who are regularly employed in non-farm private homes and non-students working in college clubs, fraternities or sororities. A domestic worker in a non-farm private home is regularly employed by her employer during a calendar quarter if she works for the employer on some part of at least 24 days in that or the preceding calendar quarter. To be covered in a quarter in which regularly employed, the worker must also be paid at least \$50 in cash wages. These two tests apply to work performed for each employer independent of any domestic service that may be performed for another employer. Thus a domestic worker employed in more than one household may be covered for some of her jobs and not for others. Only cash remuneration is considered. In general, the full-time domestic service group will have substantially all its members covered. The regular-day group will have some of its members covered; namely, those who work twice or more a week for a single employer. The irregular-day group generally will have no coverage at all.

FARM WORKERS

The act has now extended coverage to an estimated 850,000 workers formerly excluded as agricultural labor. An individual employed as a farm worker (including domestic workers in a farm household) is now covered under old-age and survivors insurance if the cash remuneration paid for such labor performed in a calendar quarter is \$50 or more, and such labor is performed for an employer by an individual who is "regularly employed" by such employer. The individual is deemed to be "regularly employed" by an employer only if (a) he performs agricultural labor for the employer on a full-time basis on at least 60 days during the calendar quarter and (b) the calendar quarter was immediately preceded by a qualifying quarter. A qualifying quarter means any calendar quarter during all of which the individual was continuously employed by that employer.

OTHER AGRICULTURAL WORKERS

Many "off-the-farm" agricultural workers are now covered by social security without regard to amount of wages or period or regularity of work. Agricultural labor services in connection with cotton ginning or the production and harvesting of gum resin, turpentine, and similar commodities, are excluded from coverage.

NONPROFIT ORGANIZATION EMPLOYEES

The 1950 amendments offer opportunity for coverage to some 600,000 employees of nonprofit institutions. The conditions for coverage are:

1. At least 2/3 of the employees of a nonprofit organization must favor coverage. If less than 2/3 want to be covered, none of the employees will be covered.

SUMMARY OF THE OLD AGE & SURVIVORSHIP PROVISIONS OF THE SOCIAL SECURITY ACT

INTRODUCTION

This summary of the old-age and survivors insurance provisions of the Social Security Act, as amended in 1950, has been prepared for the use of State and Federal Agencies. It is not a technical manual, and agencies, organizations, and individuals are cautioned against using it as such. The intention is to provide basic information about the program, presented in a way most helpful to those using it.

EXTENSION OF COVERAGE

The amendments of 1950 extended old-age and survivors insurance coverage, effective January 1, 1951, on a compulsory basis to about 7.7 million persons, and on a voluntary basis to about 2 million more. About 45 million of the nation's 60 million paid workers are now covered by the expanded program. Of the remaining 15 million about 1/2 are covered under other public retirement systems. The major groups, still without systematic retirement protection under a public program, are self-employed farmers, self-employed professional persons, and those farm and domestic workers who are not "regularly" employed.

Persons now covered by old-age and survivors insurance fall into two main groups: (1) those who work for themselves, i.e., the self-employed and (2) those who work for others as employees.

NEWLY "COVERED" GROUPS

SELF-EMPLOYED

Self-employed persons newly covered under the act number about 4.6 million. In general, these are persons, having income from unincorporated trade or business (other than farm operators and certain specific professional groups), whose net earnings from self-employment are at least \$400 in a year. The covered group includes proprietors (sole owners and partners) of retail stores, service establishments, wholesale and jobbing business, manufacturing plants, and transportation, communication, insurance, real estate, publishing, and financial enterprises. In addition, it includes about 225,000 borderline workers.

EMPLOYED

The employee groups newly covered under the act are domestic (household) workers, farm workers, certain agricultural labor, other occupational groups, and on a voluntary basis, employees of nonprofit organizations and employees of State and local governments and Federal employees not already covered by a retirement system.

For a fully insured status, the worker who is alive later than August 31, 1950, must have (a) 1 quarter of coverage for each 2 quarters elapsing after 1950 or after the quarter in which the worker attained age 21, whichever is later, and up to but excluding the quarter in which he attained age 65 or died, whichever occurs first, but in any case not less than 6 quarters of coverage, or (b) he must have a total of 40 quarters of coverage.

A quarter of coverage is any calendar quarter in which the worker was paid at least \$50 in wages or, after 1950, is credited with \$100 or more of self-employment income.

After 1950 the employee-worker paid \$3,600 in a calendar year gets 4 quarters of coverage, even though he may have no earnings in some quarters. If the worker's self-employment income and wages total \$3,600 in a taxable year, the worker gets a quarter of coverage for each quarter any part of which is within the taxable year. Death ends a taxable year.

All types of benefits are payable on the basis of fully insured status alone except husbands' and widowers' benefits. To obtain these benefits, the worker must be currently insured, in addition to being fully insured. The only benefits payable on the basis of currently insured status alone are child's benefits (in **death** cases), mother's benefits, and lump sums.

HOW BENEFITS ARE COMPUTED

Under the revised act, if a worker does not have 6 quarters of coverage after 1950, the old formula, revised in certain respects, is used in computing the primary insurance benefit. This is then raised to the primary insurance amount by use of a conversion table.

The following table shows the approximate increase for a retired worker. (Family benefits are figured from the worker's benefit. No table is shown here for family benefits because the amount for each family member depends on the worker's average monthly wage, the number of children under 18, etc.)

Monthly payment to a
retired worker under
the old law:

New monthly payment
under the amended
law:

\$10.00	\$20.00
15.00	30.00
20.00	37.00
25.00	46.50
30.00	54.00
35.00	50.20
40.00	64.00
45.00	68.50

2. If 2/3 or more of the employees desire coverage, those of the employees who so desire coverage, plus any new employees, will be covered provided that the employing organization agrees to waive its exemption from payment of the employer tax. If the organization does not agree to waive its exemption from the employer tax, none of the employees can be covered. Clergymen and members of religious orders are mandatorily excluded from coverage.

STATE AND LOCAL GOVERNMENT EMPLOYEES

The new legislation makes coverage available to 1.4 million employees of States and their political subdivisions and instrumentalities by means of voluntary agreements negotiated between the States and the Federal Security Administrator. The State may accept coverage for any one or more groups of State or local government employees. Such agreements may not include any service performed by an employee of a State or local government, or instrumentality thereof, who is in a position covered by a retirement system on the date such agreement is made applicable to such employee. Also such agreements must exclude (a) the service performed by an individual who is employed to relieve him from unemployment; (b) the service performed in a hospital, home, or other institution by a patient or inmate thereof; (c) service performed in connection with any transportation system which is mandatorily covered.

An agreement entered into by the Administrator of the Federal Security Agency and a State shall contain such provisions, not inconsistent with the appropriate provisions of the Social Security Act, as the State may request. Such agreement shall also provide:

1. That the State will pay to the Secretary of the Treasury, in accordance with regulations prescribed by the Administrator of the Federal Security Agency, a premium for social insurance coverage in an amount equivalent to the sum of the taxes that would have been imposed for the same coverage in the case of a private employer, and
2. That the State will comply with such regulations relating to payments and reports as the Administrator may prescribe.

Some Federal employees, estimated to number from 150,000 to 200,000, who are not now covered under a retirement system, are also covered under old-age and survivors insurance.

INSURED STATUS

A worker covered by old-age and survivors insurance may achieve two types of insured status: currently insured status and fully insured status. The worker is currently insured if he had 6 quarters of coverage during the 13 calendar quarter period consisting of the quarter of death and the 12 preceding quarters.

Wife's Benefits. The claimant must have the status of worker's wife under applicable State law and either have been married to the worker for not less than three years immediately preceding the day on which her application is filed, or be the mother of his child. The amount of benefit is one-half of husband's OAIB. To be entitled to wife's benefits the claimant must: (1) be the wife of a worker entitled to old-age and survivors insurance benefits; (2) have attained age 65 or have in her care at the time of the filing of application, a child entitled to an insurance benefit based on her husband's wage record; (3) have filed application for wife's benefits; (4) have been living with her husband at the time of filing application.

Husband's Benefits. This new type of benefit, payable beginning September 1950, may be paid to a dependent husband of a currently insured woman worker who is entitled to old-age insurance benefits. The woman worker must have been both fully and currently insured at the time she filed application for her old-age insurance benefits. The claimant must have the status of husband of the woman worker under applicable State law, and must either be the father of the woman worker's son or daughter, or must have been married to her for a period of not less than three years immediately preceding the day on which his application was filed. He must have attained age 65, have filed application for husband's benefits, have been living with the woman worker at the time he filed application, and must have been receiving at least one-half his support from her at the time she became entitled to her old-age insurance benefits. He must file proof of such support within two years after the month in which the woman worker became entitled to an old-age insurance benefit. The amount of the husband's benefits is one-half of the wife's old-age insurance benefit.

Child's Benefits. The child's benefit in cases where the wage earner is still living is one-half of the retired wage earner's OAIB. Where the wage earner is dead, the surviving child's benefit is three-fourths of the primary insurance amount, unless more than one child is entitled. In the latter case each child's benefit is one-half of the PIA, plus one-fourth of the PIA divided by the number of entitled children.

In order to receive benefits the child must not only be the child of the worker entitled to old-age insurance benefits or of a wage earner who died fully or currently insured, but, also, the child must be unmarried when application is filed, must not have attained the age of 18, and must be dependent upon the living wage earner at the time of filing, or in death cases must have been dependent upon the wage earner at the time of his death.

The dependency rules vary, depending upon the kind of relationship that is involved. Under ordinary circumstances, if the child is the child of a wage earner who is a natural or adopting father or mother, actual support need not be shown. In other relationship situations it may have to be shown that the child has been receiving at least one-half of its support from the related wage earner.

Where the worker has acquired 6 quarters of coverage after 1950, the primary insurance amount may also be figured under a new formula and the higher primary insurance amount allowed. Under the new formula the primary insurance amount is 50% of the first \$100 of the average monthly wage plus 15% of the next \$200 of such wage. The average monthly wage will not be based on the wages and self-employment income received by the worker since 1936, but only on that received by him after 1950.

MAXIMUM AND MINIMUM BENEFITS

The minimum benefit that may be paid to a retired individual is \$25, unless the worker's average monthly wage is \$34 or less, in which case the minimum benefit is progressively reduced, except that it cannot go below \$20. The minimum amount that may be paid to a family group is \$40. The maximum of monthly benefits which may be paid on the basis of the wages and/or self-employment income of an insured individual is \$150, or 80% of his average monthly wage, whichever is less. Where the computed amount of total benefits exceeds the maximum of \$150, or 80%, whichever is lesser, each benefit except the old-age insurance benefit must be proportionately decreased to bring the total within the maximum. This, of course, means adjustment of benefits each time one of the benefits is suspended because of employment or for other reasons.

ELIGIBILITY FOR BENEFITS

The two broad types of benefits, namely, retirement benefits and survivorship benefits, have certain common eligibility factors. In order to receive retirement benefits the individual must have insured status, must have reached age 65, and must have filed an application for benefits. In the case of survivorship benefits, the deceased wage earner, of course, must also have had the required insured status and the survivors must file application for benefits. In addition, there also must exist a specified relationship, such as wife, widow, child, etc. The legality of the relationship specified in the act for any particular kind of benefit is determined by applicable state laws.

TYPES OF BENEFITS

Old-age insurance benefits (paid to wage earner only). The aged worker becomes entitled in the first month in which all three of the requirements for entitlement are met. Payments are made for the month following the month of entitlement.

The benefits paid to aged workers who were entitled to such benefits in August 1950 are increased automatically effective September 1, 1950, by means of the conversion table to the amounts provided under the 1950 amendments. Entitlement to old-age insurance benefits ends with the month before the month in which the worker dies.

Parent's Benefits. Parent's dependency has been changed under the 1950 amendments. The parent now must be receiving at least one-half of his support from the worker at the time of the worker's death (previously the parent must have been "chiefly dependent" upon and supported by the wage earner). To be eligible for benefits, the parent must be the mother or father of the worker and have the status of a parent of the worker under applicable State law. If a stepparent, the relationship must be by a marriage entered into before the worker attained age 16. If an adopting parent, the parent must have legally adopted the worker before worker attained age 16. A parent cannot be found entitled to benefits if the worker is survived by a child, widow, or widower entitled to survivorship benefits.

Lump-Sum Death Payments. In the case of a fully or currently insured worker dying after August 31, 1950, a lump sum is payable whether or not the worker left a survivor eligible for monthly benefits. In these cases the amount of the lump-sum death payment will be three times the primary insurance amount. The claim for a lump-sum death payment must be filed within two years of the worker's death. If no spouse survives or if the surviving spouse was not living with the worker or dies before receiving payment, the person who pays the burial expenses may be considered equitably entitled to the lump-sum payment.

SPECIAL PROVISIONS FOR VETERANS

Veterans of World War II are given wage credits of \$160 for each month that they served in the armed forces in the period September 16, 1940, through July 24, 1947. These wage credits may be used for determining quarters of coverage and in computing the amount of benefits for both life and death claims. These wage credits may not be counted in connection with entitlement to or amount of monthly benefits for months before September 1950; or entitlement to or amount of lump sum if veteran died before September 1950. Wage credits will not be given if the period of service in whole or in part is the basis for benefits under any other Federal system except benefits paid by the Veterans' Administration.

TERMINATION OF ENTITLEMENT

There are different reasons for termination of entitlement depending on the type of benefits involved. An old-age insurance benefit, that is, a benefit paid to the retired wage earner himself, may be terminated only by death. A benefit paid to an individual because of his or her relationship with the wage earner will be terminated on the death of the beneficiary, or when the required relationship no longer exists; e.g. divorce or remarriage will terminate benefits. Where a condition of receiving benefits is having a child "in her care," ceasing permanently to have such a child in her care will be a cause of termination to a wife's or mother's benefit. In the case of children, attainment of age 18 or, prior to that date, marriage of the child will bring about termination of entitlement.

Benefits for a minor child are made payable to another person known as the "representative payee." The Bureau may exercise discretion in the selection of such representative payee.

Mother's Benefits. What was formerly widow's current insurance benefits is, under the revised law, changed to mother's insurance benefits. The amount of the benefit is equal to three-fourths of the primary insurance amount of the deceased worker. To be entitled to mother's benefits, the claimant must: (1) be the widow, or former wife divorced, of a worker who was fully or currently insured, (2) not have remarried; (3) In the case of widow must have been living with her husband at the time of his death. In the case of former wife divorced, must have been receiving under a court order or agreement at least one-half of her support from her former husband, the worker, at the time of his death; (4) have in her care at the time of filing, a child of the deceased worker entitled to child's benefits and in the case of the former wife divorced that child must be her son, daughter or legally adopted child and the child's benefits must be payable on the former husband's wage record. In the case of the widow, she must have been married to the worker for a period not less than one year on the day immediately preceding the day on which he died or be the natural or adopting mother of his son or daughter.

Widow's Benefits. A wife entitled to wife's benefits and living with the worker at the time of the worker's death is entitled to widow's benefits without filing a new application. The widow claimant must have the status of the worker's widow under applicable State law, and if not, the natural or adopting mother of a child of the deceased worker, must have been married to the worker for one year prior to the date of his death. Additional requirements for entitlement are that the claimant must not have remarried; must have attained age 65; and must have been living with her husband at the time of his death. The amount of the widow's monthly benefit is equal to three-fourths of the primary insurance amount of her deceased husband.

Widower's Benefits. This new type of benefit is payable to dependent husbands of women workers who died both fully and currently insured after August 31, 1950. A widower who is entitled to husband's benefits for the month before the month in which the woman worker dies and who was "living with" her in the month of her death will be entitled to widower's benefits without filing a new application. In general, the requirements for entitlement in the case of widower's benefits is the same as for husband's benefits except that (1) the widower must have been married to her for a period not less than one year immediately preceding the day on which she died, and (2) must have been "living with" the woman worker at the time of her death. The widower's benefit is equal to three-fourths of the primary insurance amount of the deceased wife.

EMPLOYEE DEFINED

The definition of employee effective with respect to services performed after 1950, continues to include officers of corporations and individuals who are employees under the usual common-law rules. It also includes as employees persons in four occupational groups who meet specific requirements. (1) Full-time life insurance salesmen working for one company; (2) agent-drivers or commission drivers distributing meat products, fruit products, vegetable products, beverages (other than milk) or laundry or dry cleaning services; (3) homeworkers subject to licensing requirements of the State in which the work is done (these homeworkers also must be paid \$50 in a calendar quarter from employer in order to be covered; and (4) traveling or city salesmen who sell merchandise for resale or use in the operation of a business to wholesalers, retailers, contractors, hotels, restaurants or similar establishments. Employees in these occupational groups must do the work personally, must have no substantial investment in premises or tools for doing the job, and the work must not be in the nature of a single job transaction.

Excluded Employees

The 1950 amendments continue the specific exclusion of "family employment"; i.e., individuals who are employed by a son, daughter, spouse, etc., are not considered to be covered employees. Other specific exclusions both new and continued, and the circumstances under which such exclusions apply are of a more technical nature.

WAGES DEFINED

For the years after 1950, a worker may be credited with only the first \$3600 of wages paid in any calendar year regardless of the year in which it was earned. Certain types of remuneration are specifically excluded as being wages. Exempt as wages are payments made under a plan or system to or on behalf of dependents of an employee, as well as those made to or on behalf of the employee himself. Also excluded are payments under an exempt trust to or on behalf of an employee's beneficiary as well as the employee. Dismissal payments are wages if paid for services in covered employment whether or not the employer is legally required to make the payments. Payments made in a medium other than cash are wages only if the work is done in the course of the employer's trade or business. Payment in kind for domestic work in the private home of the employer is not wages and payments in a medium other than cash for agricultural labor, including domestic work performed in the home of a farm owner, are excluded from wages. Remuneration paid by an employer to an employee in any quarter for services performed as a homemaker is wages only if the cash paid in the quarter by the employer to the employee is \$50 or more.

SUSPENSION OF BENEFITS, DEDUCTIONS, PENALTIES, AND RECOVERIES

Beginning September 1950, a beneficiary is permitted to earn \$50 in wages in covered employment in a month without suffering a suspension of benefits. Beginning January 1, 1951, benefits are not payable for one or more months if the beneficiary, while under age 75, does substantial work as a self-employed person (whether as sole owner or partner) in a trade or business which is covered by the law and if he has net earnings from self-employment which average more than \$50 per month for the taxable year. The number of checks not payable will depend on the amount of earnings during the year and on the number of months in which the beneficiary does substantial work as a self-employed person. No deduction for work or self-employment is imposed if the employed beneficiary is 75 years of age or over. When the wage earner or self-employed person suffers a deduction, any other beneficiary receiving benefits based on his wage record will likewise suffer a deduction. A wife or widow under age 65, or a divorced wife receiving benefits will suffer a deduction for any month in which she does not have in her care a child entitled to benefits. Failure to report employment or other events which result in deductions may occasion the imposition of penalties in the form of additional deductions.

An overpayment to a beneficiary may be recovered by adjustment against future benefits. If the overpaid beneficiary is no longer entitled to benefits, he will be asked to refund the amount of the benefits improperly received. However, if other members of the family group in which the overpaid beneficiary resides are also receiving benefits, the payments to other members may be withheld to recover the overpayment.

Adjustment or recovery of the incorrect payment may be waived by the Administrator if he determines that the overpaid individual was without fault in causing the overpayment and adjustment or recovery would either be against equity and good conscience or would defeat the purpose of the Act.

TIME LIMITS

Time limits exist on certain actions, some in the Act, and some by interpretation of the Act. An application may be retroactive for six months provided all conditions of entitlement, except the execution of a formal application form, were present during those prior months. Also an application may be accepted prospectively not to exceed three months prior to actual entitlement.

Normally, wage records may be corrected within the period of three years, two months, and fifteen days after the year in which the wages were paid or after the close of the taxable year for which self-employment income was reported.

The contribution rate tax schedule now established for financing the program under the revised act is as follows:

Calendar Year	Employee	Employer	Self-Employed
	Percent	Percent	Percent
1951-53	1-1/2	1-1/2	2-1/4
1954-59	2	2	3
1960-64	2-1/2	2-1/2	3-3/4
1965-69	3	3	4-1/2
1970 and after.	3-1/4	3-1/4	4-7/8

THE ADMINISTERING ORGANIZATION--BOASI

The Bureau of Old-Age and Survivors Insurance is a constituent unit of the Social Security Administration which, in turn, is a part of the Federal Security Agency. The Bureau's contact with its client-public is through its approximately 500 field offices. The field offices, each of which is headed by a manager, are supervised by regional representatives and their assistants, each assistant regional representative being assigned to a network of field offices. The field offices are responsible for assigning account numbers to individual workers, developing claims, making investigations where necessary to develop essential facts and for keeping potential claimants, employers and the general public informed about the program. When a claim has been developed and entitlement and the amount of benefits have been initially determined, the claim is forwarded by the field office to an area office, of which there are six. Here the determination is reviewed, the claim is processed, adjustments, if any, are made, and disbursement by the United States Treasury is authorized.

Wage records are maintained in the central office in Baltimore, Maryland. Here also benefits are calculated with the use of electronic calculating machines at the time the field office requests a certified copy of a wage record for use in developing a claim.

SELF-EMPLOYMENT INCOME DEFINED

Self-employment income is that part of net earnings from self-employment which does not exceed \$3600. If the total net earnings of the self-employed individual are less than \$400, he is deemed to have no self-employment income and, therefore, would receive no quarters of coverage during that year. Each quarter to which self-employment income of \$100 or more is credited is a quarter of coverage.

DISCLOSURE OF INFORMATION

The amended act does not specifically authorize disclosure of wage-record information to State unemployment compensation agencies or other groups. However, the Administrator may include provision for such disclosure in the regulations he is authorized to make governing disclosure. The Administrator is required, upon request, to furnish information from the record of wages and self-employment income of an individual to that individual, his survivor, legal representative or estate. Disclosure otherwise shall be only as authorized by regulations of the Administrator and the Administrator is authorized to charge the cost involved in complying with a request to the person or agency requesting the information. Relationships of field offices with local public welfare agencies, of course, involve referrals on the part of both, also in some instances cooperation in the selection of the proper payee for a minor child or incompetent adult.

RECONSIDERATION AND APPEALS

Any claimant or any other person who disagrees with a determination made by the Bureau of Old-Age and Survivors Insurance application for benefits has a right to request a reconsideration by the Bureau or a hearing before a referee. A reconsideration or a hearing may be requested at any time within six months of the date of the Bureau's determination. A request for reconsideration does not forfeit right to a hearing. The claimant is given assistance in preparing for a hearing which he has requested. If the claimant disagrees with the determination made by the referee as a result of the hearing, the case will be certified to the Appeals Council in Washington, D. C., for its decision. All decisions are held confidential.

COST AND FINANCING

The level premium cost of the expanded program (that is, the rate which would be required to carry the full cost of the program from the present time indefinitely into the future) is about 6%. The cost of the protection under the revised act for a generation of workers covered during their full working lifetime is estimated to be approximately 4% of the payroll. Thus, under the established tax schedule given below, the combined rate in 1954 would approximate the value of the benefits for the group of young workers who enter covered employment at that time. The excess of the 6% level premium cost over the 4% rate results from the fact that persons retiring during the next 30 or 40 years will receive full benefits even though they have not contributed over a full working lifetime.

Certified as a F lation (or
Regulations) of the

Dep't of Social Welfare
(Name of State Agency)

C. H. Scotland
(Signature)

Director
(Title)

11-30-50
(Date)

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
November 1, 1950

FILED

In the Office of the Secretary of State
of the State of California

NOV 30 1950

DEPARTMENT BULLETIN NO. 440-A (STAT)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
LOS ANGELES JUVENILE COURT
SAN FRANCISCO JUVENILE COURT

At 3:10 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By John J. Sagat Deputy

Subject: Cases to be Reported
on Forms Temp 233
Whether OASI Benefits
are Primary or Secondary

Categorical aid cases receiving increased or new OASI benefits are to be reported on Form Temp 233 (Monthly Statistical Report on Effect of Changes in Old Age and Survivor's Insurance, etc.), in accordance with the instructions in Department Bulletin No. 440, regardless of whether the benefits are "primary" or "secondary."

The headings "Old P.I.B." and "New P.I.A." on certain columns of Form Temp 233 were inadvertently included and should be disregarded. The same terms appear in Items F1 and F2 on Exhibit A, Suggested Individual Basic Record Form, transmitted with Department Bulletin No. 440 and should likewise be disregarded.

Also on Exhibit A, Suggested Individual Basic Record Form, revise Item H4 to read "Reduction less than ~~increased~~ increase in OASI benefit, or 'new start' OASI benefit (Disregard difference of less than \$1)."

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Certified as a Regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schatthand
(Signature)

Director
(Title)

11-30-50
(Date)

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

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d 2

WIC 115,116

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
October 23, 1950

DEPARTMENT BULLETIN NO. 441-A (STAT)

TO: COUNTY WELFARE DIRECTORS

Subject: APWA Survey of ANC Cases
Closed During November 1950:
Supplementary Instructions

Attached is a supply of "Revised Instructions for Interviewers, Memorandum #1", supplementing and revising the printed instructions forwarded with Department Bulletin No. 441 on October 13, 1950. These are for the guidance of interviewers in preparing schedules in the "Study of Aid to Dependent Children Program" sponsored by the American Public Welfare Association.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

Attachment

FILED

In the Office of the Secretary of State
of the State of California

NOV 30 1950

At 3:10 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

9/30/50

Revised Instructions for Interviewers

MEMORANDUM # 1

Item F. Date of occurrence of major crisis.

(revision of line 8 of instructions)

In cases in which "mother unmarried" was entered in Item E as major crisis, enter approximate date pregnancy was established. This date should be used since ADC payments are begun in some states before birth of the child.

(lines 13-15)

Delete: "In the case of gradual incapacity of a parent, enter the date when parent was no longer able to support the family through earnings." This deletion is suggested because such instructions might result in failure to identify the full period which should be considered "crisis" and might lead to reporting date when financial assistance actually was sought rather than date of onset of the crisis.

Item T. Number of persons in household.

(supplement to instructions)

Include roomers sleeping in this housing unit even though they do not use same cooking facilities.

Item EE. Whereabouts of children.

(supplement to instructions)

Secure this information as of September 30, 1950.

Item II. Left school before age of 18. Using code list for Item II at bottom of schedule, enter code for reason left school before age 18. If a child under age 18 is continuing his education at home through a visiting teacher program or other program approved by local school authorities, he should not be considered as having left school. Enter Code "Y" (not applicable) for persons still in high school or for those who did not leave school until 18.

In addition, for those clearly above the minimum legal school age in their locality (this would usually mean 8 years or over), and never enrolled in school, enter as follows:

<u>Code</u>	<u>Reason</u>
5	Physically unable to enter
7	Mentally incapable
0	Other reason
X	Reason unknown

Enter code "Y" (not applicable) for those not yet legally required to attend school.

Items MM, Juvenile delinquency, Child neglect, Convicted for Criminal offense.
 NN, OO,
 PP, QQ,
 RR, (revision of lines 1-5 of instructions)

Using code lists for Items MM through RR at bottom of schedule, enter in each column the appropriate code (including the code for "not applicable") for each person irrespective of age. For definitions (including age range) of juvenile delinquency, child neglect, and criminal offense, follow the law or accepted practice in your state and local jurisdiction.

(revision of last 5 lines of instructions)

Throughout page 2 of this schedule the principle is followed that there should be some entry in each space in each column for each child listed. Answer for all children regardless of age, entering the indicated code for "not applicable" in instances where the child was not born in the specified period or was outside the established age range for liability for delinquency or criminal offense. For example, if a child was not born until after ADC payments began, enter "6" (not applicable) in column MM and "3" (not applicable) in columns OO and QQ. If the same child was 5, for instance, at the end of the ADC period, the same codes would be entered for the period "Since ADC" in columns NN and RR since presumably 5 years of age is below the established age range for liability for delinquency or criminal offense.

Certified as a regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. Y. Schottland
(Signature)

Director
(Title)

11-30-50
(Date)

1297-1299

CHARLES I. SCHOTTLAND
SECRETARY OF STATE

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
November 3, 1950

FILED
In the Office of the Secretary of State
of the State of California

NOV 30 1950

At 3:10 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [Signature] Deputy

DEPARTMENT BULLETIN NO. 444 (ANC)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
L. A. JUVENILE COURT

Subject: Additional Information
Required on Monthly
Statistical Report on
Aid to Needy Children,
Form CA 237

Certain additional information on Aid to Needy Children families is being required by the Social Security Administration. In addition to the total count of families reported in Item 8A, Column 2, on Form CA 237 (Monthly Statistical Report on Aid to Needy Children) counties shall report as a supplemental item, beginning with the report for the month of November 1950, and until further notice, the number of such families which include one or more adults in the family budget unit. This information shall be included as a footnote to the monthly statistical report, Form CA 237 as follows: "Item 8A, Column 2, includes families in which one or more adults are included in the family budget unit."

This supplements instructions in Manual Section 562-30.

Very sincerely yours,

Charles I. Schottland

Charles I. Schottland
Director

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
14

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

Sacramento 14
November 30, 1950

IN REPLY PLEASE REFER
TO:

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12
SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare with Manual Letter No. 146.

These regulations were adopted by the State Social Welfare Board on November 16, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, 103.6, and 114b, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,

C. I. Schottland

Charles I. Schottland
Director

Attachments

FILED

In the Office of the Secretary of State
of the State of California

NOV 30 1950

At 9:10 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By John J. [Signature] Deputy

Certified as a Regulator (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

C. J. Schottland
(Signature)

Director
(Title)

11-30-50
(Date)

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

November 27, 1950

MANUAL LETTER NO. 146

The attached revisions are to be entered in your copy of the Manual of Policies and Procedures and the revision numbers canceled on the separators of the revised chapters. The revision numbers are as follows:

Investigation and Decision Revisions 218 through 223

These revisions were adopted by the Social Welfare Board on November 16, 1950, and are effective January 1, 1951.

Secs 232-00, 232-05, 232-40, and 250-00 have been revised to provide that if county residence is changed after an application has been signed but before the board of supervisors has acted thereon, the county in which the application was filed shall complete the investigation and grant aid if the person is found to be eligible.

Please remove from your Manual the page containing Sec. 232-25 and part of Sec. 232-20 since this material is now included in the ANC Manual.

In Manual Letter No. 145, delete the fourth paragraph and substitute the following statement: "Sec. 152-90 has been revised to provide that if an applicant or recipient receives free rental in a makeshift shelter such as a dugout, cave, or tent, the rental value in such 'makeshift shelter' shall not exceed \$3 a month."

FILED

In the Office of the Secretary of State
of the State of California

NOV 30 1950

At 3:10 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

232-05 (Continued)

232-05

The applicant certifies to the date on which he came to the county and the date on which by intent he established residence therein. The applicant also reports as accurately as possible his whereabouts for the past three years immediately preceding the date of application and reason for each removal. If this report shows that the applicant formerly lived in the county in which the application is made, determination shall be made as to whether this residence has been lost. There may be instances when the history of the applicant's residence over a longer period must be secured but, generally, a record of his whereabouts for the past three years is sufficient. (W&IC 2140, 3075, 3460)

232-10 AFFIDAVIT REGARDING RESIDENCE OF APPLICANT

232-10

OAS, ANB, APSB

The Affidavit Regarding Residence of Applicant, Form AB 221, is completed by a person who has knowledge of an applicant's residence. In ANB or APSB one such form properly completed, is required. Other acceptable evidence may be used, if such an affidavit is not available. (See Secs. 129-00, Determination of State and County Residence) The signature on the form shall be acknowledged by a person qualified to acknowledge an affidavit. (See Glossary - Oaths and Affirmations) (W&IC 2140, 3075, 3083, 3460, 3471)

231-50 (Continued)

231-50

the responsibility of the applicant in so far as he is able, to give information to assist the county in securing such verification.

Information regarding citizenship shall be retained in the county case record. The record shall show that any conflicts which appear in the various pieces of evidence have been reconciled. Original documents such as naturalization certificates or other documents of personal value to the individual should remain in his possession. (See Sec. 236-00, Instructions for Summary of Information from review of Documentary Evidence.) (W&IC 2140, 2160)

232-00 NON-COUNTY RESIDENCE PROCEDURE
OAS, ANB, APSB

232-00

Except as investigation of eligibility relates to residence, applications involving non-county aid are handled in exactly the same manner as those in which the county participates in the payment of aid. (See Secs. 122-15, Non-County Residence, and 122-65, Removal of Transferred Recipient to a Third County, and 122-70, Removal of Non-County Aid Recipients.)

The county shall determine when aid is to be paid on a non-county basis by obtaining the following:

1. Evidence of the applicant's state residence; in ANB and APSB one completed Affidavit of Residence, Form AB 221, if available, otherwise other suitable evidence. (See Sec. 129-00, Determination of State and County Residence.)
2. Applicant's Affidavit of Intent As to Residence, Form AB 204.
3. Verification of the date the applicant established residence in present county.
4. Verification of the date residence in the county of application was lost if the applicant formerly had residence in present county.

The foregoing shall be included in the county case record. An appropriate control shall be maintained to assure payment on a county participating basis when the required period of county residence has been acquired. (See Sec. 627-15) (W&IC 2140, 2160, 3025, 3042, 3083, 3420, 3432, 3460, 3471)

232-05 APPLICANT'S AFFIDAVIT OF INTENT AS TO RESIDENCE IN
NON-COUNTY CASES
OAS, ANB, APSB

232-05

The Applicant's Affidavit of Intent as to Residence, Form AB 204, shall be completed for every application recommended for non-county aid. Ordinarily the form is completed at the time the application is signed. If the applicant establishes residence in another county after an application has been filed but before the board of supervisors has acted upon it, the form is completed after residence in the second county has been established.

(Section Continued on Next Page)

233-00 VERIFICATION OF REAL AND PERSONAL PROPERTY

233-00

OAS, ANB, APSB

Real and personal property shall be verified through the sources indicated and in the manner outlined for the various types of real and personal property. (See Chapters 130-00, Real Property, and 140-00, Personal Property.)

Verifications obtained shall be retained or reported in the county record. The report of interviews or of examination of documents shall include the source of verification, the findings, and the dates of steps in the investigation. The name or names of those participating in the investigation should be recorded and the signature or initials of the person searching the records should be on any special forms.

The county case record shall contain a complete explanation of any complicated situation regarding the property. If a transfer has been made, but not for the purpose of qualifying for aid, record the value of property according to requirements of the specific category of aid, and the income, if any, in the record. If the investigation shows that a transfer was made of property (1) having a greater value than the maximum set by law or (2) which reduced the value of remaining property thus bringing it within the maximum, but such transfer was not made for the purpose of qualifying for aid, the facts which resulted in this conclusion shall be included in the case record. (W&IC 2140, 2160G, 3075, 3460)

232-40 CHANGE OF COUNTY RESIDENCE PRIOR TO GRANTING OF AID
OAS, ANB, APSB

232-40

If county residence is changed after an application has been signed but before the board of supervisors has acted thereon, the county in which the application was filed shall be responsible for completing the investigation and granting aid in the amount for which the applicant is eligible. Reimbursement shall be claimed on a non-county basis.

The county granting the application shall make immediate arrangements for transfer of responsibility for payment of aid to the county in which the recipient established residence. The counties involved shall agree upon the date of discontinuance by the first county. The second county shall assume responsibility for payment of aid on the earliest possible date and claim reimbursement on a non-county basis until one year of residence has been acquired (six months in ANB, APSB for one who became blind while a resident of the state). There shall be no lag or overlapping between the date of discontinuance by the first county and the beginning date of aid in the second county. (See Secs. 122-70 and 370-00) (W&IC 2140, 2160a, 3042, 3075, 3432, 3460)

250-00 (Continued)

250-00

the investigation discontinued. The reason for the applicant's withdrawal, if known, shall be recorded in the county record.

Notice to Applicant Who Withdraws Application, Form DPA 8, shall be given or mailed to the applicant who withdraws his application, except for counties in which the board of supervisors takes denial action on withdrawn applications. A copy of the notification shall be retained in the case record.

If a withdrawn application is denied by the board of supervisors, the applicant shall be notified of this action on Form Ag, Bl 239, Notification of Action by Board of Supervisors, in accordance with the provisions of Sec. 250-10, Reporting Action of the Board of Supervisors to Applicant. (See Form DPA 8 in Sec. 250-99, Forms Used in Investigation Procedures.) (W&IC 2022, 2140, 3075, 3084, 3085, 3460, 3472)

250-00 DISPOSAL OF APPLICATIONS
OAS, ANB, APSB

250-00

The board of supervisors shall as the final step in the investigation grant or deny the application, Form Ag, Bl 200.

If aid is granted, the board of supervisors shall specify the amount of aid and the date on which it is to begin. (See Sec. 611-50, Beginning Date of Aid--New Applications.) If proof of ineligibility has been obtained or if by diligent investigation all reasonable sources of proof of eligibility have been examined without establishing eligibility, aid shall be denied by the board of supervisors.

The board of supervisors shall act on the application at the first meeting for consideration of such applications subsequent to receipt of the report of investigation made to them by their designated representative.

Aid shall be denied if the applicant's whereabouts is unknown and he cannot be located or if he established residence in another state before the investigation is completed. Aid shall not be denied because county residence was changed after the application was signed. (See Sec. 232-40, Change of County Residence Prior to Granting of Aid.)

Action of the board of supervisors is not required if an applicant dies before the investigation is completed. Such applications are considered canceled.

Action of the board of supervisors is not necessary on withdrawn applications. Any request by the applicant for withdrawal of his application shall be made upon his own initiative and in writing. Withdrawals may occur if the applicant believes himself to be ineligible or for some other reason wishes

(Section Continued on Next Page)

Certified as a regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

C. Y. Schottland
(Signature)

Director
(Title)

11-20-50
(Date)

CHARLES I. SCHOTTLAND
Director

EARL WARREN
Governor

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

FILED

In the Office of the Secretary of State
of the State of California

November 24, 1950

NOV 30 1950

At 3:10 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

ADOPTION MANUAL LETTER NO. 24

The attached revisions numbered 124 through 133 are to be entered in your copy of the Manual of Adoptions and the revision numbers canceled on the inside of the Manual cover.

These revisions were adopted by the Social Welfare Board on November 16, 1950, and are effective January 1, 1951.

In Sec. 2900-00 the Monthly Statistical Report on Adoption Services to Other Agencies (Form Adop M56E) has been added to the list of required reports.

Sec. 2902-00 and Form Adop M56A, Monthly Statistical Report on Applications and Homes Approved for Adoptive Placements-Relinquishment Program, in Sec. 2999-00 have been revised to include reporting on the number of application requests which were screened by preliminary interview.

Sec. 2908-00 and Form Adop. M56D in Sec. 2999-00 have been revised to provide additional information on petitions to withdraw consent.

Sec. 2909-00 and Form Adop M56E in Sec. 2999-00 have been added for reporting on adoption services to other agencies which were formerly reported on Form Adop M56D.

The Table of Contents of the Statistical Procedures Chapter has been brought up-to-date.

STATISTICAL PROCEDURES

STATISTICAL PROCEDURES

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Monthly Statistical Reports on Adoptions	2900-00
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Section III, Data on Natural Parents - Form Adop M42	2916-00
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Forms Used in Statistical Procedures	2999-00

2902-00 MONTHLY STATISTICAL REPORT ON APPLICATIONS AND HOMES APPROVED FOR 2902-00
ADOPTIVE PLACEMENTS - RELINQUISHMENT PROGRAM. FORM ADOP M56A

This report (Form Adop M56A) is designed to provide information on applications of persons who wish to adopt children. It is divided into 3 sections for reporting 1) requests for applications, 2) processing of signed applications, and 3) homes approved for placement.

Requests

Report in this section all new requests for applications to adopt relinquished children.

Item 1. New Application Requests Received During Month. Enter the number of new requests received during the month regardless of whether a decision was made to take or not to take the application. Exclude requests still pending from a prior month.

Item 2. Application Requests Screened by Preliminary Interview. Enter the number of applicants interviewed this month prior to decision with respect to issuing formal application.

Applications

Report in this section activity on all signed applications to adopt relinquished children, i.e., accepted for study.

Item 3. Applications Pending at Beginning of Month. Enter the number of applications (accepted for study in a previous month) pending at the beginning of the month. The entry in this item should be the same as the entry in Item 7 of last month's report. If Item 7 was in error, make the correction in Item 3 and give the reason for the correction on the back of the form.

Item 4. Applications Accepted During Month. Enter the number of applications accepted for study during the month.

Item 5. Total Applications. Enter the sum of Items 3 and 4.

Item 6. Applications Disposed of During Month. Enter the number of applications disposed of during the month. The entry in this item is the sum of Items 6A through 6D which follow:

Item 6A. Approved. Enter the number of applications approved during the month. Show the same entry in Item 9, Homes Approved During Month.

Item 6B. Denied. Enter the number of applications denied during the month.

Item 6C. Withdrawn. Enter the number of applications withdrawn by applicants during the month.

(Section Continued on Next Page)

2900-00 MONTHLY STATISTICAL REPORTS ON ADOPTIONS

2900-00

Reports and Reporting Agencies

Monthly statistical reports shall be submitted by adoption agencies licensed by the SDSW as follows:

Relinquishment Program (Public and private agencies)

1. Monthly Statistical Report on Applications and Homes Approved for Adoptive Placements - Relinquishment Program (Form Adop M56A)
2. Monthly Statistical Report on Children Legally Free for Adoption Under the Relinquishment Program (Form Adop M56B)
3. Monthly Statistical Report on Adoption Placement Services - Relinquishment Program (Form Adop M56C)

Independent Adoptions (Public agencies only)

Monthly Statistical Report on Independent Adoptions - County Agencies (Form Adop M56D)

Relinquishment and Independent Adoption Programs (Public and Private Agencies)

Monthly Statistical Report on Adoption Services to Other Agencies (Form Adop M56E)

Due Date

The reports are due in the State Department of Social Welfare, Bureau of Research and Statistics, 616 K St., Sacramento, not later than the eighth day of the month following the month covered by the report.

Number of Copies

Prepare the reports in duplicate. Submit one copy to the Bureau of Research and Statistics and retain one in the agency.

Identification Data

Complete the identification data for which space is provided in the heading as follows:

Agency. Enter the name of the agency making the report.

County. Enter the county in which the agency is located.

Report for the month of. Enter the month and year covered by the report.

2902-00 (Continued)

2902-00

Item 11A. Homes in Which Adoptive Placements Were Made. Enter the number of homes in which adoptive placements were made.

Item 11B. Approval Canceled by Agency. Enter the number of homes for which approval was canceled by the agency.

Item 11C. Application Withdrawn by Applicant. Enter the number of applications that were withdrawn by the applicant.

Item 11D. Other. Enter the number of homes disposed of by methods other than those specified in Item 11A, 11B, or 11C. Specify the method of disposal on the back of the form.

Item 12. Approved Homes Available for Adoptive Placement at End of Month. Enter the difference between the entries in Items 10 and 11.

2902-00 (Continued)

2902-00

Item 6D. Other. Enter the number of applications disposed of by methods other than those specified in Items 6A, 6B, or 6C. Include in this item cases in which the applicant died or the agency canceled the application because contact with the applicant was lost. Specify the reason for this disposition of the applications on the back of the form.

Item 7. Applications Pending at End of Month. Enter the difference between the entries in Items 5 and 6. The entry in this item is also the sum of Items 7A and 7B which follow.

Item 7A. Home Study in Process. Enter the number of applications on which home study is in process and which are pending at the end of the month. Cases in which only preliminary paper work, such as obtaining authorizations or verifications, is being done by the agency are not considered to have a home study in process and are to be included in Item 7B.

Item 7B. Home Study Not in Process. Enter the number of applications on which home study is not in process and which are pending at the end of the month. Include cases in which only preliminary paper work, such as obtaining authorizations or verifications, is being done by the agency.

Approved Homes Available for Adoptive Placements

Report in this section activity in regard to homes that have been approved and are available for adoptive placement.

Item 8. Approved Homes Available for Adoptive Placements at Beginning of Month. Enter the number of homes available for adoptive placements at the beginning of the month. The entry in this item should be the same as the entry in Item 12 of last month's report. If Item 12 was in error, make the correction in Item 8 and give the reason for the correction on the back of the form.

Item 9. Homes Approved During Month. Enter the number of homes approved for adoptive placement during the month. The entry in this item is the same as the entry in Item 6A, approved applications to adopt relinquished children.

Item 10. Total Homes. Enter the sum of the entries in Items 8 and 9.

Item 11. Approved Homes Disposed of During Month. Enter the number of approved homes disposed of during the month. The entry in this item is the sum of the entries in Items 11A through 11D which follow.

(Section Continued on Next Page)

2908-00 (Continued)

2908-00

Column 5. Appeals. This column is provided to record the number of appeals filed by the petitioners with the court concerning the agency recommendation or failure of the agency to complete its investigation within the allotted period.

Column 6. Petition to Withdraw Consent. Enter the number of petitions filed to withdraw consent previously given by the natural parent.

Make entries in all items in which there was activity during the month. In all but the total column, the space provided for some of the items has been x-ed (xxx) to show that no entry can properly be made in those items.

Item 1. Pending on the First of Month. Enter the number of independent adoption cases that were pending further action at the close of the month's business. The entries in each column should be the same as those in Item 5 of last month's report. If Item 5 was in error, make the correction in Item 1 and give the reason for the correction on the back of the form.

Item 2. Added During Month. Enter the number of cases received during the month for investigation or report. Extensions initially granted will be entered under this item in Column 3, and should agree with Item 4B-1 of Column 2.

Item 3. Total Active During Month. Enter the sum of Items 1 and 2.

Item 4. Total Disposed of During Month. Enter the sum of Items 4A and 4B.

Item 4A. Court Reports Completed. Enter the number of adoption petitions upon which the agency made a report to the court. This entry is the sum of Items 4A-1 through 4A-4.

Item 4A-1. Approved. Enter the number of petitions on which the agency made a report to the court recommending approval of the adoption petitions; include conditional approvals.

Item 4A-2. Denied. Enter the number of petitions upon which the agency made a report to the court recommending denial; include "denials without prejudice."

Item 4A-3. Dismissed. Enter the number of petitions which were dismissed by the court and on which a report was submitted.

Item 4A-4. Report Only. Enter the number of petitions upon which the agency made a report to the court without recommendation.

Item 4B. Other Dispositions. Enter the total number of petitions disposed of without a report to the court. This entry is the sum of Items 4B-1 through 4B-4.

Item 4B-1. Extensions Granted. Enter the number of new petitions for which the agency received an extension of time by the court. Entries under this item are made only in Columns 1, 2, and 4. Item 4B-1, Column 1, should agree with Item 2, Column 3.

(Section Continued on Next Page)

2906-00 (Continued)

2906-00

Item 10. Children Under Study or Supervision at End of Month. Enter the difference between the entries in Items 8 and 9. Item 10 should also equal the sum of the entries in Items 10A through 10F which give a breakdown by living arrangement of the children reported in Item 10.

Item 10A. In Adoptive Home. Enter the number of children who were in adoptive homes at the end of the month.

Item 10B. In Agency Nursery. Enter the number of children who were in an agency nursery at the end of the month.

Item 10C. In Institution. Enter the number of children who were in institutions at the end of the month.

Item 10D. In Foster Homes. Enter the number of children who were in foster homes at the end of the month.

Item 10E. In Receiving Home. Enter the number of children who were in receiving homes at the end of the month.

Item 10F. Elsewhere. Enter the number of children who were living elsewhere than specified in Items 10A through 10E. Specify on the back of the form the location of the children, e.g., case accepted prior to the birth of the child if the child has not yet been born.

2908-00 MONTHLY STATISTICAL REPORT ON INDEPENDENT ADOPTIONS -- COUNTY AGENCIES, FORM ADOP M56D

2908-00

This report (Form Adop M56D) is designed to furnish information re the investigation and reporting to the courts on independent adoptions, i.e., adoptions of children who have been placed independently by their parents or by other individuals who have legal custody of the children.

Definitions of Column Headings

Column 1. Total. Enter the total of Columns 2 through 7.

Column 2. New Petitions. Enter the count of new petitions for each item. Note that new petitions on which an extension is granted are excluded from Column 2 in the month in which the extension is granted.

Column 3. Extensions. Classify petitions as extensions if an extension of the investigation period has been granted by the court. Report only the initial extension; additional extensions are not reported.

Column 4. Reopened. Report in this column all cases which have been reopened after having been closed.

(Section Continued on Next Page)

2910-00 INDIVIDUAL RECORD CARD - RELINQUISHMENT AND INDEPENDENT
ADOPTIONS, FORM ADOP M42

2910-00

Reporting Agencies

Public and private adoption agencies licensed by the SDSW and the adoption staff of the SDSW shall submit reports on Form Adop M42, Individual Record Card - Relinquishment and Independent Adoptions.

Coverage

Form Adop M42 shall be completed for each child for whom a final report is made to the court or petition for whose adoption is dismissed by the court prior to the submission of the court report.

Submittal Instructions

One copy of the completed Form Adop M42 shall be sent to the State Department of Social Welfare, Bureau of Research and Statistics, 616 K Street, Sacramento 14, at the time the final report is submitted to the court. If the petition is dismissed by the court prior to the receipt of the court report, Form Adop M42, completed as fully as possible, shall be submitted immediately.

General Instructions for Completion of Form

If more than one child is being adopted by the same petitioner(s) a Form Adop M42 shall be completed for each child.

If the child has been the subject of previous adoption action, which was acted on by the court, a new Form Adop M42 is to be prepared.

If an adoption petition is dismissed by the court prior to submission of the final report, enter the date of dismissal and write "dismissed" in Item H, Section I. In some cases which are dismissed, the investigation may not have revealed the information requested in every item on the form. Complete the items for which the information is available and mark the others "unknown."

All items require entries. If no significant entry can be made, enter "none", or "unk" (for unknown), or "not applicable" as the case may be.

Where the following instructions read "circle the applicable item", it is not necessary to circle the whole item but only the number identifying it.

It is important that the agency be clearly identified in the line under the agent's name on the form.

2908-00 (Continued)

2908-00

Item 4B-2. Returned to Inactive File. Enter in Columns 1, 4, and 6, Total, Reopened, and Petition to Withdraw Consent respectively, the number of cases in which information was submitted to the court without change in recommendation of the agency, or in which no further action is indicated and the case is to be considered closed.

Item 4B-3. Transferred to Another Agency. Enter the number of cases transferred to another adoption agency; include cases transferred to the jurisdiction of the SDSW.

Item 4B-4. Transferred as Step-parent Case. Enter the number of cases transferred to probation officers, because the petitioner is a step-parent of the child.

Item 5. Pending at End of Month. Enter the number of petitions awaiting recommendation of the agency at the close of the calendar month. The entry should equal Item 3 minus Item 4.

2909-00 MONTHLY STATISTICAL REPORT ON ADOPTION SERVICES TO
OTHER AGENCIES, FORM ADOP. M56E

2909-00

This report (Form Adop. M56E) is intended to record the volume of requests for services relative to adoption cases referred to the agency. It is divided into 3 columns (1) Out of State Requests, (2) Request of the SDSW, and (3) Request of Another California Agency.

Item 1. Pending at Beginning of Month. Enter the number of requests for service that were brought forward from the previous month. The entries in each column should agree with those in Item 5 of last month's report. If Item 5 was in error, make the correction in Item 1 and give the reason for the correction on the back of the form.

Item 2. Received During Month. Enter the number of requests for service that were received during the month.

Item 3. Total Requests for Month. Enter the sum of Item 1 and Item 2.

Item 4. Requests Completed. Enter the number of requests for service that were disposed of during the month.

Item 5. Pending at End of Month. Enter the number of requests for service that were not completed by the end of the month.

State of California

Department of Social Welfare

MONTHLY STATISTICAL REPORT ON CHILDREN LEGALLY FREE FOR
ADOPTION UNDER THE RELINQUISHMENT PROGRAM*

AGENCY _____

COUNTY _____

REPORT FOR MONTH OF _____

19 _____

	TOTAL (Col. 1)	RELINQUISHMENT SIGNED (Col. 2)	ACTION IN LIEU OF RELINQUISHMENT* (Col. 3)
1. Children Legally Free for Adoption at Beginning of Month (same as Item 5 of last month's report).....			
2. Relinquishment Actions During Month*.....			
3. Total Children Awaiting Placement (Item 1 \neq 2).....			
4. Change in Status During Month (Item 4A \neq 4B \neq 4C).....			
A. Children Placed for Adoption.....			
B. Relinquishment Rescinded (Item 4B(1) \neq 4B(2))...			XXXXXXXXXXXXX
(1) Before Filing with SDSW.....			XXXXXXXXXXXXX
(2) After Filing with SDSW.....			XXXXXXXXXXXXX
C. Other (Specify below).....			
5. Children Legally Free for Adoption at End of Month (Item 3 minus 4, also Item 5A \neq 5B).....			
A. Relinquishment Filed with SDSW.....			XXXXXXXXXXXXX
B. Relinquishment Not Filed with SDSW.....			XXXXXXXXXXXXX

Report Submitted by _____

Title _____

Date _____

* Also include children legally free for adoption for whom neither relinquishment nor action in lieu of
relinquishment is required.

Form ADOP M56B, Revised July 1950

(Section Continued on Next Page)

State of California

Department of Social Welfare

MONTHLY STATISTICAL REPORT ON APPLICATIONS
AND HOMES APPROVED FOR ADOPTIVE PLACEMENTS - RELINQUISHMENT PROGRAM

FORM ADOP M56A

Agency _____

County _____ Report for Month of _____ 19 _____

1. New application requests received during month.....

2. Application requests screened by preliminary interview.....

Applications

3. Application pending at beginning of month (Same as Item 7 of last month's report).....

4. Applications accepted during month.....

5. Total applications (Item 3 + 4).....

6. Applications disposed of during month (Item 6A + 6B + 6C + 6D).....

A. Approved.....

B. Denied.....

C. Withdrawn.....

D. Other (Specify on reverse).....

7. Applications pending at end of month (Item 5 minus 6, also Item 7A + 7B)...

A. Home study in process.....

B. Home study not in process.....

Approved Homes Available for Adoptive Placements8. Approved homes available for adoptive placements at beginning of month
(Same as Item 12 of last month's report).....

9. Homes approved during month (Same as 6A above).....

10. Total homes (Item 8 + 9).....

11. Approved homes disposed of during month (Item 11A + 11B + 11C + 11D).....

A. Homes in which adoptive placements were made.....

B. Approval canceled by agency.....

C. Application withdrawn by applicant.....

D. Other (Specify on reverse).....

12. Approved homes available for adoptive placement at end of month
(Item 10 minus 11).....

Report submitted by _____ Title _____

Date _____

Form Adop M56A, Revised January 1951

(Section Continued on Next Page)

2999-00 (Continued)

FORM ADOP. M56D

2999-00

State of California

Department of Social Welfare

MONTHLY STATISTICAL REPORT ON INDEPENDENT ADOPTIONS - COUNTY AGENCIES

AGENCY _____

COUNTY _____

REPORT FOR MONTH OF _____ 19 _____

	TOTAL	NEW PETITIONS	EXTENSIONS	REOPENED	APPEALS	PETITION TO WITHDRAW CONSENT
	(1)	(2)	(3)	(4)	(5)	(6)
1. Pending on First of Month (Item 5 Last Month).....						
2. Added During Month.....						
3. Total Active During Month (Item 1 + 2).....						
4. Total Disposed of During Month (Item 4A + 4B).....						
A. Court Reports Completed (Sum of Items A1 through A4).....						
1) Approved.....						
2) Denied.....						
3) Dismissed.....						
4) Report only.....						
B. Other Dispositions (Sum of Items B1 through B4).....						
1) Extensions Granted.....			XXX	XXX	XXX	XXX
2) Returned to Inactive File.....		XXX	XXX		XXX	XXX
3) Transferred to Another Agency.....					XXX	
4) Transferred as Stepparent Case.....					XXX	XXX
5. Pending at End of Month (Item 3 Minus 4).....						

REPORT SUBMITTED BY _____

TITLE _____

DATE _____

Form Adop. M56D, Revised January, 1951

(Section Continued on Next Page)

STATISTICAL PROCEDURES

2999-00

2999-00 (Continued)

2999-00

State of California

Department of Social Welfare

MONTHLY STATISTICAL REPORT ON ADOPTION
PLACEMENT SERVICES - RELINQUISHMENT PROGRAM

FORM ADOP M56C

Agency _____

County _____

Report for Month of _____ 19 _____

Requests to Arrange Adoptive Placements

1. Requests pending at beginning of month (Same as Item 5 of last month's report)
2. Requests received during month
3. Total requests (Item 1 + 2)
4. Requests disposed of during month (Item 4A + 4B + 4C + 4D)
 - A. Child accepted for study or supervision
 - B. Received service - adoption not indicated
 - C. Refused placement service (Item 4C(1) + 4C(2) + 4C(3))
 - (1) Because of limited agency facilities
 - (2) Because not within scope of agency program
 - (3) Child regarded as not adoptable
 - D. Request withdrawn
5. Requests pending at end of month (Item 3 minus 4)

Children Under Study or Supervision

6. Children under study or supervision at beginning of month (Same as Item 10 of last month's report)
7. Children accepted for study or supervision during month (Same as 4A) .
8. Total children under study or supervision (Item 6 + 7)
9. Children for whom service was terminated during month (Sum of Items 9A through 9G)
- A. Adoption completed
 - B. Legal status of child not clear
 - C. Child not adoptable
 - D. Parent kept or reclaimed child
 - E. Parent made other placement
 - F. Lost contact
 - G. Other (Specify on reverse)
10. Children under study or supervision at end of month (Item 8 minus 9, also sum of Items 10A through 10F)
- A. In adoptive home
 - B. In agency nursery
 - C. In institution
 - D. In foster home
 - E. In receiving home
 - F. Elsewhere (Specify on reverse)

Report submitted by _____ Title _____

Form Adop M56C, April 1948 Date _____

(Section Continued on Next Page)

2999-00 (Continued)

2999-00

State of California

Department of Social Welfare

MONTHLY STATISTICAL REPORT ON
ADOPTION SERVICES TO OTHER AGENCIES

AGENCY: _____

COUNTY _____ REPORT FOR MONTH OF _____ 19 _____

	OUT OF STATE REQUESTS	REQUEST OF SDSW	REQUEST OF ANOTHER CALIFORNIA AGENCY
1. PENDING AT BEGINNING OF MONTH.....			
2. RECEIVED DURING MONTH.....			
3. TOTAL REQUESTS FOR MONTH (ITEMS 1 + 2)...			
4. REQUESTS COMPLETED.....			
5. PENDING AT END OF MONTH (ITEMS 3 + 4)...			

REPORT SUBMITTED BY _____

TITLE _____

DATE _____

Form Adop M 56E, January 1951

(Section Continued on Next Page)

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
14

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Carl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND

DIRECTOR
Sacramento 14
December 29, 1950

IN REPLY PLEASE REFER
TO:

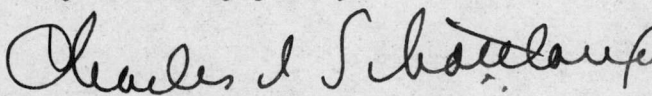
Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare with Manual Letter No. 147.

These regulations were adopted by the State Social Welfare Board on December 15, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Sections 103, 103.5, 103.6, and 114b, and are being filed in accordance with Section 11380 of the Government Code.

Very sincerely yours,



Charles I. Schottland
Director

Attachments

FILED

in the Office of the Secretary of State
of the State of California

DEC 29 1950

At 11:15 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By

Deputy

Certified a Regulation (or
Regulations on the

Dep of Social Welfare
(Name of State Agency)

Charles J. Shattuck

(Signature)

Director
(Title)

12-29-50
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 26, 1950

MANUAL UNIT

1297-1299

SECRETARY OF STATE

MANUAL LETTER NO. 147

The attached revisions are to be entered in your copy of the Manual of Policies and Procedures and revision numbers 513 through 518 canceled on the separators of the Financial Procedures Chapter.

These revisions were adopted by the Social Welfare Board on December 15, 1950, and are effective February 1, 1951.

Sec. 670-75, as revised, represents no change in policy. It clarifies the existing requirement as to determination of fraudulent intent in Old Age Security.

Sec. 671-20, as revised, specifies the sources from which repayment may be demanded.

Secs. 671-25, 671-26, 671-27, 671-30, and 671-31 outline the repayment procedure.

Sec. 671-35 provides for a quarterly report of repayments to the State Department of Social Welfare.

Sec. 674-99 includes forms used in processing repayments.

FILED

In the Office of the Secretary of State
of the State of California

DEC 29 1950

At 11:15 o'clock a M.

FRANK M. JORDAN, Secretary of State

By [Signature] Deputy

670-75 INVESTIGATION OF OVERPAYMENTS

670-75

OAS, ANB, APSB

Whenever it appears that an overpayment of aid has been made, i.e., aid has been paid during a period for which there was not eligibility or a greater amount of aid has been paid than for which there was eligibility, the county shall determine:

1. Whether overpayment of aid has been made
2. The period of overpayment
3. The reason for overpayment
4. The amount of overpayment
5. Whether or not overpayment was the result of fraudulent intent; in OAS, if there was no fraudulent intent and overpayment was caused by factors other than income, the county shall determine whether the overpayment resulted from withholding of facts believed to be immaterial
6. Whether or not the right to request repayment exists.

These determinations and the bases for the determinations shall be recorded in the case record.

Note: See Sec. 670-79 regarding erroneous payments made for which there is not valid authorization.

(W&IC 2140, 2222, 2223.5, 3006, 3075, 3405, 3460; AGO 47/307)

670-76 RIGHT TO REQUEST REPAYMENT OF AID

670-76

OAS

CIRCUMSTANCES UNDER WHICH THERE IS NO RIGHT TO REQUEST REPAYMENT

Except to the extent that overpayment can be adjusted within the current adjustment period (see Secs. 361-10 and 361-50) there is no right to request repayment for:

1. Overpayment during a period subsequent to the date the recipient reported or otherwise disclosed the facts affecting his eligibility.
2. Overpayment determined on the basis of facts of which the recipient had no knowledge.

CIRCUMSTANCES UNDER WHICH THERE IS A RIGHT TO REQUEST REPAYMENT

In circumstances other than as stated immediately above, the eligibility factors involved govern the determination of the right to request repayment and the amount to be requested.

Overpayment Caused by Excess Real or Personal Property

If the recipient purposely withheld (or misrepresented) the facts in order to obtain aid to which he was not entitled, the right exists to request repayment of all aid paid during the period while property holdings were in excess of the allowable maximum.

(Section Continued on Next Page)

670-00 TABULAR ANALYSIS OF PROVISIONS OF THE W&IC REGARDING REPAYMENTS
OAS, ANB, APSB, ANC

670-00

AID	BASIS FOR RECOVERY FROM RECIPIENT BY COUNTY OR SDSW	BASIS FOR RECOVERY FROM RELATIVE BY COUNTY	BASIS FOR RECOVERY FROM ESTATE BY SDSW	AMOUNT RECOVERABLE	APPLICABLE CODE SECTIONS
OAS	AID ILLEGALLY OBTAINED			AMOUNT OF AID IL- LEGALLY RECEIVED	2007 2222
OAS	EXCESS AID RECEIVED BECAUSE OF POSSESSION OF EXCESS PROPERTY, WHERE RECIPIENT ACTED IN GOOD FAITH			AMOUNT OF EXCESS AID RECEIVED, OR AMOUNT OF EXCESS PROPERTY, WHICH- EVER IS LESS	2223.5
OAS			RECIPIENT POSSESSED OF EXCESS PROPERTY OR IN- COME WHICH HE DID NOT DISCLOSE TO COUNTY AND WHICH WAS DISCOVERED AFTER RECIPIENT'S DEATH	DOUBLE THE AMOUNT OF EXCESS AID RE- CEIVED	2223
OAS ANB APSB		RECIPIENT HAS WITH- IN THE STATE A RE- SPONSIBLE RELATIVE PECUNIARILY ABLE TO SUPPORT RECIPIENT		SUCH PORTION OF AID GRANTED OR TO BE GRANTED AS RELATIVE ABLE TO PAY	2224 3088 3474
ANB APSB ANC	AID OBTAINED BY MEANS OF FALSE STATEMENT OR REPRESENTATION OR BY IMPERSONATION OR OTHER FRAUDULENT DEVICE			AMOUNT OF AID RE- CEIVED BY FRAUDU- LENT MEANS	1506 3006 3405

671-20 SOURCE OF REPAYMENT
OAS, ANB, APSB, ANC

671-20

If the right to request repayment exists, repayment shall be demanded within the limits of the California Civil Code and the Code of Civil Procedures from any and all resources (real and personal property) of the debtor, except that, for recipients of OAS, ANB, APSB and ANC, repayment shall not be demanded from:

1. The current grant or income required to meet the current need of the recipient unless the overpayment can be adjusted within the current adjustment period.
2. Real and personal property required to meet certain of the recipient's continuing needs. These are:
 - a. Real property: the home in which he lives;
 - b. Personal property: household furniture, equipment and furnishings, personal effects, clothing, and an automobile if such automobile has been determined to be necessary to his particular need.

As used in this section and the following sections the terms "recipient" and "debtor" refer to the person to whom aid is or has been paid, except that in ANC these terms refer to the person or agency legally responsible for the financial support of the child or children at the time the payment was made regardless of who signed the application or received the assistance payments.

Repayment may be demanded, within the limits of the probate code, from any and all real and personal property of the estate of a former recipient, except that the rights of the county shall be subordinated to the rights of a surviving spouse who is a recipient of aid, if the surviving spouse executes an agreement not to transfer or encumber such property without the consent of the county. (W&IC 1505, 1560, 2006, 2140, 3008, 3075, 3407, 3460)

671-25 DEMAND FOR REPAYMENT
OAS, ANB, APSB, ANC

671-25

If it is determined that the right to request repayment exists, a formal written demand shall be promptly served upon the debtor. This demand may be mailed to the debtor at his address of record or may be delivered in person. It shall include the following:

1. The reason for, and the amount of, the repayment due.
2. A statement that the right to request repayment exists.

(Section Continued on Next Page)

670-88 OVERPAYMENTS RESULTING FROM CONDITIONAL RESTORATION IN OAS
OAS

670-88

In OAS a duty exists to request repayment of all aid conditionally paid for which, upon completion of investigation, the recipient is shown to have been ineligible. (See Sec. 361-22, Investigation of Conditional Restoration) (W&IC 2183.9)

671-10 DISCOVERY OF EXCESS PROPERTY OR INCOME SUBSEQUENT TO
RECIPIENT'S DEATH
OAS

671-10

If, upon the death of a recipient of OAS, it is discovered that he was possessed of property or income in excess of the amount allowed under the OAS Law, the county shall immediately refer his case to the SDSW for appropriate action. The SDSW, in conjunction with the Attorney General, will proceed against the estate of the deceased recipient. Upon recovery from the estate the county share of the repayment will be remitted by SDSW to the county. (W&IC 2223)

671-26 (Continued)

671-26

STATEMENT OF DEBTOR'S RESOURCES

Suggested Form A

State No.: _____

Name: _____

Address _____

Currently receiving aid? _____

INCOME:

Monthly amount: \$ _____ Source: _____

Amount required to meet current need of debtor and spouse (and minor children in ANC): \$ _____

PROPERTY:Real: Location _____

Assessed Value: \$ _____ Estimated real value: \$ _____

Encumbered? _____ Amount of Encumbrance: \$ _____

Occupied by debtor? _____ If not occupied, how utilized? _____

Personal: Cash or bank balances: \$ _____ Securities: \$ _____
(Include postal savings) (Include trust deeds, war bonds)

Insurance, Face Value: \$ _____ Estimated cash surrender value: \$ _____

Furniture and equipment - estimated value: \$ _____

Automobile - estimated value: \$ _____ Determined necessary? _____

Other (describe and give estimated value) _____

Debtor's statement regarding willingness and pecuniary ability to make payment:

County Worker

671-25 (Continued)

671-25

3. A statement that the repayment is due and payable immediately and that repayment or a satisfactory plan for repayment is required within 30 days. If the debtor is a recipient without resources other than the grant and the income to which he is currently entitled, a statement shall be made that he is not obligated to make repayment from such funds.
4. A statement that, upon request, a county representative will be available to advise him as to his rights and responsibilities with respect to the amount due.

(W&IC 1506, 1560, 2007, 2140, 3006, 3075, 3405, 3460)

671-26 DETERMINATION OF DEBTOR'S ABILITY TO REPAY
OAS, ANB, APSB, ANC

671-26

If the right to request repayment exists, and if the debtor does not reply to the demand for repayment within a reasonable time, a determination shall be made as to the debtor's ability to repay that portion of the debt which has not been adjusted within the current adjustment period. If the unadjusted amount is \$50 or more, an investigation shall be made and the following shall be recorded centrally or in the case record:

1. A statement of the sources and amounts of income.
2. A listing of real and personal property.
3. If the debtor is currently a recipient of aid, the real and personal property required to meet certain of his continuing needs as defined in Sec. 671-20.
4. A statement from the debtor as to his intent and pecuniary ability to repay.

Form A, Statement of Debtor's Resources, is suggested for the recording of the investigation.

If the unadjusted amount is less than \$50, the investigation and recording are optional.

(W&IC 1506, 1560, 2007, 2140, 3006, 3075, 3405, 3460)

671-27 (Continued)

671-27

6. A periodic check of probate records shall be made. It is recommended that this check be made monthly, but in no event shall it be made less frequently than quarterly. Any probate involving the estate of a deceased recipient shall be checked in order to determine if the decedent was a debtor against whose estate a claim for repayments due can be filed.

Any probates of estates of deceased recipients of OAS which indicate that the decedent may have been possessed of property in excess of the amount authorized by law shall be investigated further to determine if action under W&IC 2223 is in order. (See Sec. 671-10)

7. Other remedies contained in the California Code of Civil Procedures, except as prohibited by W&IC 1505, 2006, 3008, and 3407, may be utilized by the county to enforce collection of amounts due from recipients or former recipients of aid. These remedies include garnishment, attachment, restraining orders, and proceedings supplemental to execution.
8. Unless rendered inoperative by an action of the debtor, the Statutes of Limitations in California on repayment of aid are generally as follows:
- a. For unsecured debts not arising from fraudulent action on the part of the debtor nor evidenced by a promissory note or a contract in writing, the statute runs two years from the date of the overpayment.
 - b. Where the liability is created by statute, the statute of limitations runs three years from the date of the overpayment of aid to the recipient.
 - c. Where fraud is established on the part of the debtor, the statute runs three years from the date of the discovery of the fraud.
 - d. For debts evidenced by a promissory note or a contract in writing, the statute runs four years from due date of such written instrument.
 - e. On judgment liens the statute runs five years from the date of entry of judgment or of renewal thereof.
 - f. On W&IC 2223 and other actions in probate proceedings, there is no specific statute. However, suit must be instituted on a statutory cause of action within one year of issuance of letters testamentary or administration.

A debt in groups a, b, or c can be extended four years by securing an Agreement to Reimburse Note (see d). Such debt can be further extended five years by securing a Confession of Judgment or judgment as a result of collection suit (see e). All debts (excepting probate actions) can generally be renewed repeatedly by appropriate legal means if action is taken prior to the running of the statute. (Reference Code of Civil Procedures Sections 336 to 345, inclusive.)

(Section Continued on Next Page)

671-27 PLAN FOR COLLECTION OF OVERPAYMENTS OF AID
OAS, ANB, APSB, ANC

671-27

The following shall form part of a plan for collection effort in all counties, unless a different plan, designed to accomplish the same objectives, is submitted to the SDSW.

Counties desiring to utilize a plan not incorporating some of the following points, shall inform the Director of the SDSW of their intention by February 1, 1951.

Such counties shall file their plan with the SDSW by March 1, 1951, and may operate under its provisions until notified of the rejection of the plan by the SDSW.

1. If, within a reasonable time from service of a Demand for Repayment (see Section 671-25) the repayment has not been made or a satisfactory plan for repayment submitted, the debtor shall be requested to complete and sign a non-interest bearing Agreement to Reimburse Note (see suggested Forms B and C). This Note may be payable in specific amounts on specific dates or it may be made payable "on demand." In the latter case and provided the amount due is \$50 or more, the debtor shall also be requested to execute a Confession of Judgment (see suggested Form D) with the understanding the Judgment will not be executed until after death of the recipient or his spouse (see Section 671-20) or until additional property is available.

If a debtor has a policy of life insurance and the amount due is \$50 or more, he shall be requested to assign the insurance policy to the county with the understanding that the proceeds of the policy will be applied toward liquidation of the debt and the remainder, if any, to be turned over to the beneficiary.

2. If the debtor is unwilling to execute a Confession of Judgment, the county shall file a suit unless the investigation prescribed in Section 671-26 has determined that the debtor does not own property from which repayment can be made either presently or in the future. Suits for amounts from \$50 to and including \$100 shall be filed in the small claims court. If the amount due is less than \$50, the filing of a suit in small claims court is recommended but not mandatory.
3. A Confession of Judgment given by the debtor or a judgment rendered as a result of suit shall be immediately recorded as a lien against specific items of real property of the debtor with an omnibus clause to include such additional property as the debtor may thereafter acquire.
4. Judgments and all liens applying thereto shall be renewed at necessary intervals to insure that they will not lapse because of the running of a Statute of Limitations. (See Item 8, of this section.)
5. If the debtor is a recipient of OAS, ANB, APSB, or ANC, who has no resources available to satisfy the debt, and a lien has been recorded against his property, foreclosure shall be deferred until after death (see Section 671-20), at which time claim shall be filed in probate proceedings.

(Section Continued on Next Page)

671-27 (Continued)

671-27

Suggested Form B

AGREEMENT TO REIMBURSE NOTE
(Installments)

State No. _____

County No. _____

Name _____

_____, California

_____, 195_____

In installments and at the times hereinafter stated, I promise to pay to the order of the County of _____, at its office in _____, the sum of _____ Dollars (\$ _____) in _____ equal successive monthly installments of _____ Dollars (\$ _____) beginning _____, 195_____, and one final installment of _____ Dollars (\$ _____).

I agree that in case any one of said installments is not paid when due, the entire sum then remaining unpaid shall forthwith become due and payable at the option of the holder of this note, and notice of the exercise of such option is hereby expressly waived.

Installments are payable in lawful money of the United States of America.

In case suit is instituted to collect this note, or any part thereof, I promise to pay such additional sums as the Court may adjudge reasonable as attorney's fees in such suit.

Signature _____

Witness _____ Address _____

Address _____

(Section Continued on Next Page)

671-27 (Continued)

671-27

If any debt appears to be in jeopardy because of the operation of a statute of limitations, action shall be taken to prevent a lapse of the county's rights.

9. The following procedures shall be established to safeguard the monies due the County, State, and Federal Governments:
 - a. Establishment of adequate internal controls to prevent overpayments of aid.
 - b. Immediate investigation of apparent overpayments to determine if the right to request repayment exists.
 - c. Execution of a plan for collection prescribed by this section whenever the right to request repayment exists.
 - d. Periodic follow-up of all unpaid debts with a planned series of collection letters or personal visits or both and reinvestigation of the debtor's financial status not less frequently than semi-annually. If circumstances justify, follow-up may well be made monthly.

(W&IC 1506, 1560, 2007, 2140, 3006, 3075, 3405, 3460)

(Section Continued on Next Page)

671-27 (Continued)

671-27

Suggested Form D

IN THE (enter name and jurisdiction of court)

COUNTY OF _____)

Plaintiff)

vs.)

Defendant)

NO. _____

CONFESSION OF JUDGMENT
(CCP 1132-1135)

I, _____, being duly sworn, declare and depose as follows:

I hereby confess judgment in favor of the county of _____, the plaintiff above named, for the sum of \$_____ (enter the specified sum for which entry of judgment is authorized), and authorize the entry of judgment therefor against me.

This Confession of Judgment is for a debt justly due from me to the said County of _____, and arises upon the following facts; to wit,

(enter here the facts out of which the debt arose, i.e., the cause of the overpayment and the reason the right to request repayment exists; e.g., the receipt of Old Age Security from August 1, 1950, through December 31, 1950, while I was ineligible because of the possession of personal property in excess of \$1,200.00, which property I had not declared to the county.)

(Signature of defendant)

Subscribed and sworn to before me

this _____ day of _____, 195__.

(Signature, title, and seal of person
authorized to administer oath)

IT IS ORDERED, ADJUDGED, AND DECREED that the said County of _____ do have and recover of and from the said _____, the sum of \$_____ together with the sum of \$_____ costs herein.

Dated _____.

(Signature of Clerk of Court)

671-27 (Continued)

671-27

Suggested Form C

AGREEMENT TO REIMBURSE NOTE
(Demand Note)

State No. _____

County No. _____

Name _____

_____, California

_____, 195_____

On Demand I promise to pay to the order of the County
of _____, at its office in _____ the
sum of _____ Dollars (\$_____) in lawful
money of the United States of America.

In case suit is instituted to collect this note, or any part
thereof, I promise to pay such additional sums as the Court may
adjudge reasonable as attorney's fees in such suit.

Witness: _____ Signature _____

Address: _____ Address _____

(Section Continued on Next Page)

671-31 CLOSING OF REPAYMENTS RECEIVABLE
OAS, ANB, APSB, ANC

671-31

Repayments Receivable shall be held open and appropriately followed-up and may be dropped from active status only under the following conditions:

1. Repayment is fully made.
2. Debt is less than \$50 and collection cannot be affected through small claims court or without resort to measures the cost of which would equal or exceed the amount of the debt.
3. Debt is discharged in bankruptcy proceedings.
4. Debt is voided by operation of a Statute of Limitations.
5. Debtor is deceased and probate action closed.

Records of closed repayments receivable shall be filed centrally, separate from those in active status. (W&IC 1560, 2140, 3075, 3460)

671-35 QUARTERLY REPAYMENT REPORT
OAS, ANB, APSB, ANC

671-35

Within 30 days after the close of each calendar quarter each county shall complete and send to the SDSW in triplicate a Quarterly Repayment Report, Form ABC 830, (see Sec. 674-99).

Repayments of erroneous payments (see Sec. 670-79) shall not be included in the Quarterly Repayment Report. (W&IC 116, 1560, 2140, 3075, 3460)

671-30 COUNTY RECORDS ON OVERPAYMENTS OF AID AND
REPAYMENTS RECEIVABLE
OAS, ANB, APSB, ANC

671-30

In addition to the recording of data on overpayments of aid in the case record as provided in Sec. 670-75, there shall be maintained in each county a central record of Repayments Receivable, i.e., the amount of the repayment due. If the right to request repayment exists, a Repayment Receivable Record, Form ABC 831, (see Sec. 674-99), shall be initiated. An equivalent record may be used provided it is approved by the SDSW. These records shall be filed by aid program in state number order or alphabetically with cross index to state number and shall provide data as to:

1. The debtor's name and state number and whether currently in receipt of aid.
2. The amount of the repayment due less any adjustments made in the current adjustment period.
3. The period to which the overpayment applies.
4. The reason for the overpayment.
5. Whether the overpayment was the result of fraudulent intent on the part of the debtor. (In OAS, if there was no fraudulent intent and the overpayment was caused by factors other than income, whether the overpayment resulted from withholding of facts believed to be immaterial. See Sec. 670-75.)
6. Record of any change in the determinations included in Items 2 through 5.
7. Whether a Statement of Debtor's Resources, or equivalent, is on file.
8. A record of all repayments made as to dates and amounts.
9. Chronological record of all contacts made by letter or personal visit together with record of:
 - a. Whether Agreement to Reimburse Note or Confession of Judgment procured.
 - b. All legal actions taken, judgments procured, property liens taken, and resulting attachments.
 - c. In case of fraud, whether criminal action was taken and the outcome thereof.

(W&IC 1506, 1560, 2007, 2140, 3006, 3075, 3405, 3460)

REPAYMENT RECEIVABLE RECORD

State Number _____ Name _____

Amount of Repayment Due (i.e., the amount for which the right exists to request repayment) \$ _____

Reason for Overpayment: _____

_____Months in Which Overpayment Occurred _____

Repayment Record

Remarks:	Repayment Dates	Amounts Repaid	Balance Due
Form ABC 831, December, 1950			

REVERSE of FORM ABC 831

Demand for Repayment Served: _____

Statement of Debtor's Resources on File _____

Agreement to Reimburse Note Procured _____

Judgment Liens in Effect _____

Criminal Action Taken _____

Follow-up Record		Date	Remarks	Date	Remarks
Date	Remarks				

(Section Continued on Next Page)

674-99 (Continued)

FORM ABC 830

674-99

QUARTERLY REPAYMENT REPORT

Date of Report: _____

County: _____

Public Assistance Program _____ Quarter covered _____

Description	Number of Accounts	Amount
1. Active accounts at beginning of quarter	_____	_____
2. New accounts set up during quarter	_____	_____
3. Sub-total (Items 1 plus 2)	_____	_____
4. Repayments received during quarter	xxxxxxxxxxxx	_____
5. Accounts closed according to Section 671-31	xxxxxxxxxxxx	xxxxxxxxxxxx
a. By repayment in full	_____	xxxxxxxxxxxx
b. Other reasons	_____	_____
6. Sub-total (Items 4 plus 5a plus 5b)	_____	_____
7. Active accounts at close of quarter (Item 3 minus Item 6)	_____	_____
	_____	_____

Prepared By _____

Signed _____
Welfare Director

To be submitted in triplicate within 30 days of close of each calendar quarter to State Department of Social Welfare, 616 K Street, Sacramento, California.

Form ABC 830, December, 1950

MAIN OFFICE
SACRAMENTO
GILBERT 2-4711
616 K STREET
14

LOS ANGELES OFFICE
MICHIGAN 8411
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
EXBROOK 2-8751
GRAYSTONE BUILDING
948 MARKET STREET
2

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES I. SCHOTTLAND
DIRECTOR

Sacramento 14
December 29, 1950

IN REPLY PLEASE REFER
TO:

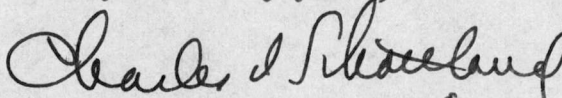
Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare with Aid to Needy Children Manual Letter No. 8.

These regulations contained in this material were approved by the State Social Welfare Board on December 15, 1950, pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 103.5, and 1560, and are filed in accordance with provisions of Section 11380 of the Government Code.

Very sincerely yours,



Charles I. Schottland
Director

Attachments

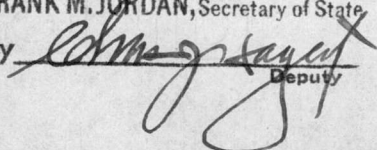
FILED

in the Office of the Secretary of State
of the State of California

DEC 29 1950

At 11:15 o'clock M.

FRANK M. JORDAN, Secretary of State

By  Deputy

Certified as a Regulation (or
Regulations) of the

Department of Social Welfare

(Name of State Agency)

Charles I. Chaveland

(Signature)

Director

(Title)

12-29-50

(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 26, 1950

MANUAL UNIT - SECTY OF STATE

3 CA

AID TO NEEDY CHILDREN MANUAL LETTER NO. 8

The attached revisions numbered 42 through 47 are to be entered in your copy of the Manual of Policies and Procedures - Aid to Needy Children and the revision numbers canceled on the inside of the manual cover.

These revisions were adopted by the Social Welfare Board on December 15, 1950, to be effective February 1, 1951.

Sec. C-200 has been revised to require that when gathering evidence of the child's circumstances, the county discuss with the family their immediate and long term plans and record the results of such discussion in the narrative.

Sec. C-208, as revised, specifies the purpose of home visits and the number of home visits required in cases in which deprivation of parental support or care is due to continued absence of a parent from the home because of desertion or separation.

In Secs. C-225 and C-240 continued absence of a parent from the home has been redefined to provide that if the parents have separated or deserted, the absent parent must have been out of the home at least three months prior to the date of application.

FILED

In the Office of the Secretary of State
of the State of California

DEC 29 1950

At 11 15 o'clock a M.

FRANK M. JORDAN, Secretary of State

By [Signature] Deputy

C-005 (Continued)

C-005

The financial assistance provided by ANC makes it possible for children who are deprived of parental support or care to enjoy the opportunities usually available to other children in the community. The assumption underlying the program is that, if a family circle is broken or incomplete or the parents are unable because of disability to give the children normal care, the measures most conducive to a child's welfare are to strengthen the home against financial lacks and losses, and to help the parent or relative to regain control over his family affairs.

The purpose of the program includes helping the family attain eventual self-support. This means the development of all resources available to the family such as:

1. Encouraging older children to become independent in whole or in part as soon as possible and to assist in family support.
2. Restoring or improving health or retraining a parent so that he can resume support of the family in whole or in part.
3. Assisting the family in developing income in cash or in kind by use of a garden, a small farm operation, or a small business.
4. Securing support from the absent father.
5. Assisting the mother to make a decision regarding her employment outside the home that is consistent with the best interests of the children.
6. Assisting the father, who is remaining at home to care for his family, in planning for such care so that he may accept available employment.

The program enables the mother to remain in her own home so that her children will have the benefit of her supervision and care. It provides for supervision and care while the father works, if the mother is absent. It is intended to promote physical, mental, and spiritual growth and health by providing a satisfactory level of living, including:

1. Adequate food, clothing, and housing
2. Adequate health care
3. Opportunity to attend school during legal school age and vocational training for those who would benefit by it
4. Opportunity for participation in normal recreational activities and in community life
5. Social services, job placement, and family counseling

The SDSW is directed in W&IC 1560 to provide for the administration of the program, uniformly in all counties of the state, as follows:

"The State Department of Social Welfare shall:

- (a) make rules and regulations for the proper maintenance and care of needy children;

(Section Continued on Next Page)

C-005 PURPOSE OF AID TO NEEDY CHILDREN

C-005

Aid to Needy Children is a public assistance program financed by county, state, and federal governments. The primary purpose of the program is to provide family security and financial assistance for needy children, including unborn children, who are deprived of parental support or care. The California Welfare and Institutions Code, in Sec. 1500, defines a needy child thus:

"As used in this Chapter, 'needy child' means a needy person under the age of 18 years who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent."

ANC is an essential part of the larger social security program intended to foster and preserve basic human resources and family life. That program for California is embodied in the W&IC, which, in Sec. 19 of the General Provisions, contains the following statement:

"The purpose of this code is to provide for protection, care, and assistance to the people of the State in need thereof, and to promote the welfare and happiness of all of the people of the State by providing public assistance to all of its needy and distressed. It is the legislative intent that assistance shall be administered promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of race, religion, or political affiliation; and that assistance shall be so administered as to encourage self-respect, self-reliance, and the desire to be a good citizen, useful to society."

ANC is designed to keep children in a setting of their own family and to enable parents to continue responsibility for the family living plan. If it is not possible for a child to live with his own family, the program aims to provide the best substitute care in the home of a relative, in a foster home, or in a private institution. The Legislature made this declaration in W&IC 1503:

"It is the object and purpose of this chapter to provide aid for children whose dependency is caused by circumstances defined in Section 1500 and to keep children in their own homes wherever possible and to provide the best substitute for their own homes for those children who must be given foster care."

The intent of the Legislature is reiterated in W&IC 1507, which reads:

"The provisions of this chapter shall be liberally construed to effect its stated objects and purposes."

(Section Continued on Next Page)

C-010 (Continued)

C-010

2. Age. The child has not reached his 18th birthday.
3. Residence. The child has residence in California by virtue of his birth in California, by his physical presence in the state for one year preceding the date of application, or through residence of his parent or parents in California for one year preceding the date of application.
4. Real Property. The child and his parents do not together own real property with assessed value, less all encumbrances of record, in excess of \$3,000.
5. Personal Property. The whole orphan child does not, or the parents and one or more children in one family combined do not, own cash and securities in excess of \$600.
6. Transfer of Property. The child or his parents have not made a voluntary transfer of property for the purpose of qualifying for assistance.
7. Need. The child does not have sufficient income to meet his needs in accordance with the ANC standard.
8. Institutions. The child is not an inmate of a public institution or a public hospital, except for temporary medical or surgical care.

A complete statement of eligibility requirements is included in Chapter III. (W&IC 1500, 1520, 1521, 1522, 1524, 1525, 1529, 1560)

C-015 RIGHTS AND RESPONSIBILITIES OF ANC FAMILIES

C-015

The ANC law contained in W&IC 1500 - 1580 and the rules and regulations of the SDSW specify the eligibility requirements for the ANC program. These specifications remove from individual discretion the right to deny assistance to any eligible person, because all persons meeting the eligibility requirements are equal before the law and have a right to receive assistance under a uniform application of the law.

(Section Continued on Next Page)

C-005 (Continued)

C-005

- (b) make rules and regulations for the administration of aid to needy children;
- (c) inquire, at any time, into the management of any institution receiving aid under the provisions of this chapter, or into the management, by any county, of aid to needy children.

Such rules and regulations shall be binding upon the institutions and counties."

The SDSW is further directed by W&IC 1511 to establish standards of care, as follows:

"Minimum standards of adequate care shall be determined by the rules and regulations of the State Department of Social Welfare, approved by the State Board of Social Welfare. The rules and regulations shall be distributed to the counties and shall be binding upon them."

Pursuant to this directive, the SDSW has established certain minimum standards of adequate care which include:

1. Clothing and food of adequate quantity and quality, including special diets if ordered by a physician.
2. Housing which allows adequate sleeping space, reasonable privacy, and complies with sanitary and housing regulations.
3. Attendance at school during legal school age for every child who is capable of benefiting by formal education; vocational training, or an opportunity to obtain a higher education, when indicated.
4. Normal recreational activities and participation in community life.
5. Proper supervision in the absence of the mother.
6. Provision for adequate health care. This includes physical examinations, preventive measures, correction of defects, hospital and out-patient service, periodic examination after contacts with tuberculosis and other infectious diseases.
7. A boarding home or institution meeting approved standards for the child in need of, or receiving, foster care. (W&IC 19, 1500, 1503, 1507, 1511, 1560)

C-010 ELIGIBILITY REQUIREMENTS

C-010

A child shall be considered to be eligible for ANC if all of the following requirements are met:

1. Deprivation of Parental Support or Care. The child has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent.

(Section Continued on Next Page)

C-200 (Continued)

C-200

The determination of eligibility is a continuing responsibility. A child once found eligible may become ineligible due to unforeseen circumstances. A re-determination of eligibility shall be made whenever information indicates a possible change in circumstances or in need. There shall be a redetermination of eligibility at intervals not exceeding twelve months. Redetermination is necessary before assistance is restored for one child or for the entire family. Whenever a home visit is made or interview is held for a specific purpose, any possible changes affecting eligibility should always be covered.

The narrative shall contain the basis for the determination of continuing eligibility. In addition, the record shall contain an applicant's Affirmation of Eligibility, Form CA 206, completed by the applicant, parent, or person in loco parentis at intervals not exceeding twelve months.

The plans for the family shall be reviewed as often as indicated and at least when eligibility is redetermined. The narrative shall show concisely the progress made, the next steps to be taken, and any changes in the plans. The narrative shall also show what help the agency has provided in carrying out the plans.

The county shall inform the parent or payee of his continuing responsibility to keep the county promptly informed of any changes in the child's circumstances or change in need or financial condition, including any change in income or in real or personal property holdings.

The county shall inform the applicant of his right to appeal to the SDSW from any decision or action concerning the eligibility of the child, or any lack of action pertaining thereto. (W&IC 1550)

C-202 SOURCES OF EVIDENCE

C-202

The applicant shall be the primary source of evidence. Usually he will be able to state his circumstances and those of the child, as related to eligibility, in such a way that will leave no doubt as to eligibility. In those instances in which the applicant is unable to give definite, clear, and complete information which leaves no doubt, or in which evidence other than the applicant's statement is required, the applicant usually has or can secure additional evidence to substantiate his statements. Such evidence in the applicant's possession or which he is able to secure shall be used whenever available.

There will be occasions when the applicant will request the county or the county will offer, with the applicant's permission, to secure the additional evidence necessary for a determination, either from other individuals or organizations, or from public or private records.

Records of social agencies may contain additional evidence or information required to establish eligibility. Clearance with a confidential index or social service exchange should be made, if available, after identifying data has been obtained from the applicant and before the first interview with him, if possible, to enable the county to determine the social agencies to which the family may have been known. Social agencies frequently will assist in social planning for a family, upon proper request. The county shall utilize community resources for the best interest of the child and his family.

(Section Continued on Next Page)

C-200 DETERMINATION OF ELIGIBILITY - GENERAL

C-200

Effective administration of the ANC program depends upon a thorough and accurate determination of eligibility followed by periodic redetermination of continuing eligibility. Determination of eligibility is the process of gathering evidence of the circumstances of the child for whom application is made as related to the conditions of eligibility established for the program, the evaluation of the adequacy and competency of the evidence, and the arrival at a decision as to eligibility, continued eligibility, or ineligibility. It includes the accumulation and recording of evidence to substantiate the applicant's statement on the application that he believes the child to be eligible. On the basis of the evidence assembled by the applicant and the county, the county shall make the determination or decision as to eligibility or ineligibility.

The county shall explain to the applicant, or relative, what evidence is required for a determination of eligibility. The applicant has the primary responsibility for presenting evidence to substantiate his claim that the child is eligible. However, the county is responsible for offering and rendering service to the applicant in securing the required evidence, and the applicant shall not be required to establish the child's eligibility.

All reasonable sources of evidence shall be diligently examined, and all doubtful or conflicting evidence carefully evaluated, before assistance is denied. If ineligibility has been clearly established for one factor of eligibility by diligent examination of all reasonable sources of evidence and careful evaluation of doubtful or conflicting evidence, assistance shall be denied and determination of eligibility for other factors is unnecessary.

Since it is the county's responsibility to make an accurate determination of eligibility to assure that a child's needs are met and public funds are properly spent, the basis for the determination, that is, all evidence on which the determination is based, shall be fully recorded in the narrative or available copies of written evidence shall be filed in the record. This includes recording of the applicant's statement regarding the eligibility factors, as well as additional evidence if required. It also includes the evaluation of those statements or the other evidence and the reason further evidence is considered to be necessary (i.e., to clear up missing or conflicting data). Over-investigation of eligibility which is adequately established shall be avoided.

During the process of gathering evidence of the circumstances of the child, the county shall discuss with the family, immediate and long-term plans. This discussion shall include plans which will:

1. Enable the family to live as independently as possible by helping it develop resources to meet its financial needs so that public assistance will be required a minimum length of time.
2. Help the parents solve their own problems so that they are able to give the children proper care and attention.
3. Assist the family in using community resources.
4. Help the parents adjust to changes in their environment.
5. Help the remaining or well parent adjust to his or her added responsibility.

The concise and summary results of this discussion shall be recorded in the narrative.

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C-208 HOME VISITS DURING DETERMINATION AND REDETERMINATION OF ELIGIBILITY

C-208

A home visit shall be made during the determination of eligibility following receipt of the application, if possible. If a home visit cannot be made, an interview shall be held elsewhere with the applicant and the child's living arrangements as reported by him shall be recorded. The case narrative shall set forth conditions which made a home visit impossible, such as inaccessibility of the home because of weather, shortage of staff, etc. If the assistance is being transferred from General Relief to ANC and a home call within three months of the date of application has been recorded in the record to be incorporated with the ANC record, another home visit during the determination of eligibility is not required.

If a home visit is made, the family's living arrangements and standards should be ascertained by observing the physical aspects of the home, housekeeping, household management, and the family's cultural or recreational interests and activities.

A home visit shall be made or an interview held elsewhere at the time of, or within three months prior to, the annual redetermination of eligibility. An interview may not be substituted for this home visit unless a home visit has been made within the year preceding the due date of annual redetermination of eligibility.

In family cases in which deprivation of parental support or care is due to continued absence of a parent from the home because of desertion or separation, a home visit shall be made at least every two months for the first year following the beginning of the last absence. The purpose of this visit is to redetermine eligibility, to re-evaluate the absence, to plan next steps for securing support, and to provide requested case work services. If a collateral visit with the father, relatives, or other interested persons would be of more value than another visit with the mother in working out plans for the family, this may be substituted for the home visit. (W&IC 1560)

C-210 DUE DATE OF ANNUAL REDETERMINATION OF ELIGIBILITY

C-210

The county may set the due date for completion of the redetermination of eligibility according to any plan which guarantees redetermination of eligibility once annually. This date may be set on the basis of the beginning date of assistance, the date of the last redetermination, or any other date provided such date does not extend beyond twelve months from the month in which assistance began or from the month in which the last redetermination was completed.

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C-206 (Continued)

C-206

D. WRITTEN EVIDENCE

Documentary evidence from public records, such as vital statistics, recorder's and assessor's records, school rosters, voters registers, and public agencies, is usually accurate and acceptable.

Documentary evidence from private records, such as hospital or clinic reports, private social agencies, church certificates, family bibles and family records, including family correspondence, is acceptable, if not inconsistent with information from other sources.

Previous records of the family in the county welfare department are an acceptable source of evidence. Since such records are equally subject to error, evidence from that source shall be evaluated without precedence over evidence from any other source.

The most reliable record is usually one made for the purpose of maintaining archives or registers. A public or private record made at the time of the event is considered more reliable than a later record. The document's source and age should be evaluated if there is reason to doubt its adequacy.

It is unnecessary to have copies of documents in the case record. The content of documents in the applicant's possession or in public records which were examined by the worker shall be recorded in the narrative. Such recording shall fully identify the document and clearly state the facts therein which were extracted as evidence.

E. BASIS FOR ACCEPTANCE OF EVIDENCE

If the applicant's statement and competent evidence are inconsistent, decision shall be based upon the facts established by the evidence.

The several enumerated sources and types of evidence are in themselves acceptable unless there is a basis for doubting their accuracy or competency. In the absence of any doubt, such evidence is acceptable and only the source of evidence and the evidence shall be recorded in the narrative. If there is doubt, the doubted evidence shall be recorded as well as the basis for questioning the evidence.

Inconsistency in information from two equally reliable sources indicates that further inquiry is necessary. If the inconsistencies cannot be reconciled, the data substantiated by the preponderance of evidence shall be used. In determining the preponderance of evidence, consideration shall be given to the relative merits of the various pieces of evidence to determine which has the greater validity. All evidence shall be examined from the standpoint of consistency within itself, and consistency with other evidence. Evidence shall be evaluated at the time of final decision in the light of all available data, including that from prior determinations. The decision and the basis for the decision shall be recorded in the narrative. (W&IC 1560)

C-225 (Continued)

C-225

Example 1: A child whose parents are deceased but who has income from property sufficient to maintain him in a suitable foster home or with a relative is deprived of both parental support and care, but might not be in need for purposes of ANC. Should the income cease, however, and need be established, the child would qualify for ANC from the standpoint of deprivation of parental support or care even though there was no immediate causal connection between the current need and the death of the parent.

Example 2: A child who is a member of a normal family group and whose parents are unable to meet his needs, due to an emergency such as disaster or widespread unemployment, would not be deprived of parental support or care in accordance with this definition. At no time is the ANC program intended to minimize the parent's responsibility for attending to the needs of his family.

The elapsed period or expected duration of deprivation has no bearing on the determination of eligibility except for continued absence of a parent from the home. (See Sec. C-240, Definition of Deprivation of Parental Support or Care by Reason of Continued Absence from the Home.)

When the deprivation no longer exists, the county shall help the members of the family plan to meet their needs before assistance is discontinued. However, financial assistance shall not be continued for more than three monthly payments during the period of adjustment after the deprivation ceases. (W&IC 1560)

C-230 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE BY
REASON OF DEATH

C-230

A child shall be considered deprived of parental support or care if one or both of his parents are deceased, except that in cases in which the natural father, the stepmother, and child are living together, there is not eligibility for ANC because of the death of the natural mother. (W&IC 1500)

C-235 DETERMINATION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE
BY REASON OF DEATH

C-235

The county shall determine that either or both parents are dead.

The narrative shall include the applicant's statement of the date and place of death and other pertinent details concerning the circumstances of the death. If the applicant can give definite, clear, and complete information and there is no doubt regarding the situation or if the records of the county provide the information, additional evidence is not required. If the applicant does not have complete

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C-220 REQUIREMENTS FOR DEPRIVATION OF PARENTAL SUPPORT OR CARE

C-220

A child shall be considered to be eligible for ANC with respect to deprivation of parental support or care if:

1. One or both parents are dead, or
2. There is continued absence of either or both parents from the home, or
3. One or both parents are physically or mentally incapacitated. (W&IC 1500)

C-225 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE

C-225

The word "parent" means either the mother or the father, natural or adoptive, whether married or unmarried.

Inasmuch as the legal adoption of a child is designed to effect a complete substitution for the natural parents, eligibility of an adopted child shall be based upon the death, incapacity, or absence of the adoptive parents and not on that of the natural parents.

The presence of a stepparent in the home does not disqualify a child who has been deprived of parental support or care, but it may be a factor in establishing need. The stepparent has no legal responsibility for support of stepchildren. However, in a family where there are the natural father, the stepmother, and a child or children living together, there is not eligibility for ANC because of the death or absence of the natural mother. (See Sec. C-356, Responsibility of Relatives)

The word "child" includes the unborn child if pregnancy has been verified by a physician's oral or written statement.

A child may be deprived of either support or care. The word "support" means financial provision for meeting the needs of the child. The word "care" means the natural affection, supervision, physical care, and guidance necessary to the health and normal growth of the child as a participating member of his community.

The requirement of deprivation of parental support or care shall be considered as an eligibility factor separate from need. Both need and deprivation of parental support or care shall be determined. The parent's death, incapacity, or absence from the home is presumed to deprive a child of parental support or care. A child could be deprived of parental support or care and, because of income, not be in need, or he could be needy but not deprived of parental support or care in accordance with this definition.

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C-240 (Continued)

C-240

Dissociation from family relationships is not considered to exist if the parent is absent solely for the purpose of looking for work, working in another locality, visiting, or moving to another community. However, it is recognized that the original purpose of the absence may change. Dissociation is not presumed in cases in which a parent is confined in a penal or correctional institution, but because such a parent is unable to return to the family, he is included in the definition of absent parent. Continued absence of a parent from the home exists if the absent parent has been out of the home at least three months prior to the date of application, in the following situations:

1. The parents are separated, legally or by bona fide agreement.
2. One or both parents have deserted.

Continued absence of a parent from the home exists from the time the absent parent leaves the home in the following situations:

1. The parents are divorced or divorce action has been filed and the parents are living separate and apart.
2. The marriage of the parents has been annulled.
3. The parents of the child are not married to each other and had not maintained a home together.
4. A parent is confined in a penal or correctional institution (including road camps and county jails).

If the parents are maintaining a home together but the child is living elsewhere, whether placed by the parents, by an authoritative agency, or by an agency acting on behalf of the parents, the child shall not be considered to be deprived of parental support or care due to absence of a parent from the home.

For purposes of determining deprivation of parental support or care, legal action against an absent parent or action to locate an absent parent or to establish paternity of a child of unmarried parents is not required. Such actions might result in permanent severance of family relationships with the absent parent rather than strengthening family ties. (See Sec. C-356, Responsibility of Relatives)

Visits of an absent parent to the home to see the child, or his contributions to the support of the child, would not affect eligibility on the basis of deprivation of parental support or care. Contributions made by the absent parent shall be considered as income in determining need.

If an absent parent returns to the home, he may be unable to assume at once his full responsibility for the child's support or care. Discontinuance of assistance immediately might make family readjustments more difficult and create hardships for the child. Assistance shall be continued as long as necessary but not

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C-235 (Continued)

C-235

or accurate information, or if there appears to be conflicting information, further evidence of death shall be obtained.

Some examples of other acceptable evidence of death are as follows:

1. Records of an insurance company, fraternal order, coroner, hospital, mortuary, or any organization having direct or primary knowledge of the death.
2. Newspaper or obituary notices, if they give the name of the deceased and the date and place of death.
3. Letters, if they are identifiable with the event and give the necessary information.
4. Statement of a witness to the event such as a doctor, nurse, relative, or other person present at the time of the death or who attended burial rites. Such statements may be oral or written and need not be in form of affidavits. The following points shall be included either in the written statement or in the narrative record:
 - a. Name of the deceased and the relationship to the child.
 - b. Date and place of death.
 - c. Relationship of the witness to the decedent or family, such as attending physician, minister, relative, friend, or casual acquaintance.
 - d. Facts showing that knowledge is primary and direct, not hearsay.
5. Death certificate or certified copy of same.
6. Written verification from the Recorder or Bureau of Vital Statistics giving the necessary information.
7. Court finding of presumptive death.

If there is a stepmother, the narrative shall indicate whether or not the family is living together. (WaIC 1560)

**C-240 DEFINITION OF DEPRIVATION OF PARENTAL SUPPORT OR CARE
BY REASON OF CONTINUED ABSENCE FROM THE HOME**

C-240

A child shall be considered deprived of parental support or care if there is continued absence from the home on the part of one or both parents, except that in cases in which the natural father, the step-mother, and child are living together, there is not eligibility for ANC because of the absence of the natural mother.

Continued absence from the home implies a clear dissociation of one or both parents from the normal family relationships.

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